

COUNTY ROAD #231-A Now 331
60' wide Changed on July 1, 1975

T3S, R5W, W.M.

CRS #336

J.C. Cooper
5/29-30/1889

60' wide
Book C.- Page 43

C.J. 10.- Page 119
6/7/ 1889

Researched by Marge - Office of County Surveyor
1972



NO FEE

200305956 2:50:52 PM 3/14/2003

DMR-DEDDMR Cnt=1 Stn=1 KAREN
This is a no fee document

After recording Please return to the Board of Commissioners Ofc

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of the Legalization of)
Rex Brown Road (County Road 331)) - BOARD ORDER 02-802
Pursuant to ORS 368.201 to 368.221.)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON ("the Board") sat for the transaction of county business in formal session on November 14, 2002, commissioners Robert Johnstone, Leslie Lewis and Thomas E.E. Bunn being present.

THE BOARD MAKES THE FOLLOWING FINDINGS:

- A. Oregon Revised Statutes include procedures to "legalize" a public road where some question exists as to a road's status as a public road. Statutory procedures to legalize public roads are set forth in ORS 368.201 to 368.221. On October 9, 2002 the Board adopted Board Order 02-714 to initiate proceedings to legalize Rex Brown Road (County Road No. 331).
- B. In order to be legalized, Rex Brown Road was surveyed as required by ORS 368.206(1)(a) to determine the location of the road and the width of the road according to criteria set forth in the statute.
- C. Copies of the description and survey of Rex Brown Road to be legalized are attached hereto as Attachments "A" and "B" respectively. Attachments "A" and "B" are incorporated into this Board Order by reference.
- D. The county's public works director has filed a written report with the Board recommending the legalization of Rex Brown Road as described in Attachments "A" and "B." A copy of the report from the county's public works director is attached and incorporated as Attachment "C." Attachment "C" includes a Right of Way Status Report completed by a professional land surveyor.
- E. Notice of the legalization proceeding of Rex Brown Road was provided as required by ORS 368.401 to 368.426 by service of written notice to owners of abutting land and by posting. An Affidavit of Posting and an Affidavit of Service as required by ORS 368.421 are attached and incorporated as Attachments "D" and "E" respectively.
- F. On November 14, 2002 a public hearing was held in Room 32 of the Yamhill County Courthouse to determine whether legalization of Rex Brown Road (County Road No. 331)

as proposed would be in the public interest. No testimony was offered in favor or in opposition to the proposed legalization of the road at public hearing.

G. No claims were filed with the Board as required by ORS 378.211 for compensation for structures encroaching on the portions of the road under consideration for legalization before the close of the November 14, 2002 public hearing.

H. No objections were raised and no other information was filed controverting any matter presented to the Board. No allegations were made raising any new matter relevant to the proceeding. It is now appropriate for the Board to take action to legalize Rex Brown Road. NOW THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

1. Through omission or defect, the precise location of Rex Brown Road (County Road No. 331) under consideration for legalization cannot be determined. Doubt exists as to the legal establishment or evidence of establishment of Rex Brown Road (County Road No. 331.)
2. Legalization of Rex Brown Road (County Road No. 331) as described in Attachments "A" and "B" to this Board Order is determined to be in the public interest.
3. Rex Brown Road (County Road No. 331) as described in Attachments "A" and "B" to this Board Order is hereby deemed legalized under ORS 368.368.216. By the signature of the County Surveyor upon this Board Order he has determined that the following requirements in ORS 368.106 have been met with regard to the legalization of Rex Brown Road:
 - a. The road right of way to be legalized has been surveyed and monumented;
 - b. The survey has been prepared in compliance with ORS 209.250; and
 - c. The survey has been recorded with the county surveyor.
4. In accordance with ORS 368.106, county counsel shall cause this Board Order to be recorded in the Deed and Mortgage Records of Yamhill County. Upon recordation, the following matters are established as a matter of law as provided by ORS 368.216:
 - a. Any records showing the location of Rex Brown Road (County Road No. 331) that conflict with the location of the road as described in this Board Order are void.

b. Rex Brown Road (County Road No. 331) exists as described in this Board Order.

c. Courts shall receive this order as conclusive proof that Rex Brown Road (County Road No 331) exists as described in this order.

5. A copy of this order shall be filed in the Road Jacket for Rex Brown Road (County Road No. 331).

DONE at McMinnville, Oregon on November 13, 2002.

ATTEST YAMHILL COUNTY BOARD OF COMMISSIONERS

CHARLES STERN

County Clerk

Robert Johnstone
Chairman
ROBERT JOHNSTONE

Deputy
By: Carol Ann White
for Deputy KELLYE FETTERS

Leslie R. Lewis
Commissioner
LESLIE LEWIS

FORM APPROVED BY:

John M. Gray, Jr.
JOHN M. GRAY, JR.
Yamhill County Legal Counsel

Thomas E. E. Bunn
Commissioner
THOMAS E. E. BUNN

Dan Lanschheid
DAN LANSCHHEID
Yamhill County Surveyor

whitec\pw\rexbrown\bolegalize.wpd

Attachment "A"

CENTERLINE DESCRIPTION

REX BROWN ROAD (COUNTY ROAD NO. 331)
YAMHILL COUNTY, OREGON

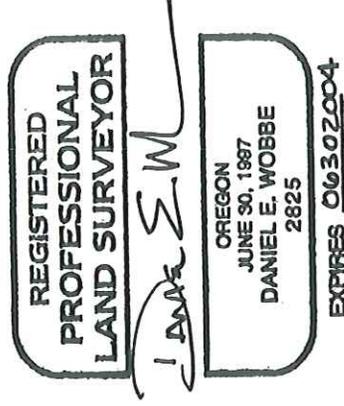
The Following description defines the legalized centerline for a portion of Rex Brown Road (County Road No. 331).

A section of county road lying in the West one-half of Section 21 and the Southeast one-quarter of Section 20, Township 3 South, Range 5 West of the Willamette Meridian, beginning at the Westerly right of way of Panther Creek Road (County Road No. 231) and terminating at the South line of said Section 20, and being 6.096 meters (20.00 ft.) on each side of the following described centerline.

Beginning at a point in the right of way of Panther Creek Road (County Road No. 231), said point bears North 112.178 meters (368.04 ft.) and East 320.294 meters (1050.83 ft.) from the West one-quarter corner of Section 21, Township 3 South, Range 5 West, of the Willamette Meridian, said point being at Engineers Centerline Station 1+000; thence North 77°32'16" West 24.622 meters (80.78 ft.); thence along the arc of a 70.00 meter (229.66 ft.) radius curve to the left (the long chord of which bears South 86°18'50" West 38.937 meters (127.75 ft.)) 39.458 meters (129.46 ft.); thence South 70°09'57" West 130.196 meters (427.15 ft.); thence along the arc of a 100.000 meter (328.08 ft.) radius curve to the right (the long chord of which bears South 73°39'16" West 12.170 meters (39.93 ft.)) 12.177 meters (39.95 ft.); thence South 77°08'35" West 35.186 meters (115.44 ft.); thence along the arc of a 22.000 meter (72.18 ft.) radius curve to the left (the long chord of which bears South 42°57'15" West 24.725 meters (81.12 ft.)) 26.255 meters (86.14 ft.); thence South 8°45'55" West 14.619 meters (47.96 ft.); thence along the arc of a 100.000 meter (328.08 ft.) radius curve to the left (the long chord of which bears South 3°59'51" East 27.972 meters (91.77 ft.); thence along the arc of a 250.000 meter (820.21 ft.) radius curve to the right (the long chord of which bears South 1°05'03" East 25.411 meters (83.37 ft.)) 25.422 meters (83.41 ft.); thence South 1°49'44" West 25.862 meters (84.85 ft.); thence along the arc of a 700.000 meter (2296.59 ft.) radius curve to the left (the long chord of which bears South 0°08'57" East 48.326 meters (158.55 ft.)) 48.336 meters (158.58 ft.); thence South 2°07'39" East 18.766 meters (61.57 ft.); thence along the arc of a 100.000 meter (328.08 ft.) radius curve to the right (the long chord of which bears South 3°17'37" West 18.894 meters (61.99 ft.)) 18.923 meters (62.08 ft.); thence South 8°42'52" West 50.194 meters (164.68 ft.); thence along the arc of a 700.000 meter (2296.59 ft.) radius curve to the right (the long chord of which bears South 11°19'10" West 63.631 meters (208.76 ft.)) 63.653 meters (208.84 ft.); thence South 13°55'28" West 18.252 meters (59.88 ft.); thence along the arc of a 500.000 meter (1640.42 ft.) radius curve to the left (the long chord of which bears South 11°31'09" West 41.968 meters (137.69 ft.)) 41.980 meters (137.73 ft.); thence South

Att. A - 1/2
B.6.02-802
P.014 of 17

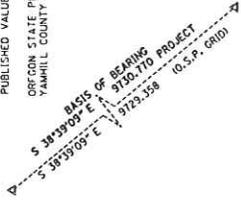
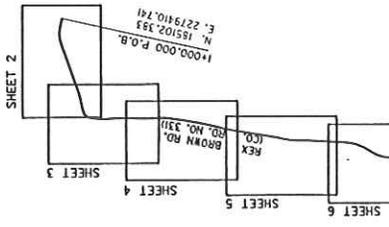
9°06'50" West 86.015 meters (282.20 ft.); thence along the arc of a 400.000 meter (1312.34 ft.) radius curve to the right (the long chord of which bears South 11°10'02" West 28.665 meters (94.05 ft.)) 28.671 meters (94.06 ft.); thence South 13°13'14" West 0.861 meters (2.82 ft.); thence along the arc of a 150.000 meter (492.13 ft.) radius curve to the left (the long chord of which bears South 6°45'58" West 33.724 meters (110.64 ft.)) 33.796 meters (110.88 ft.); thence South 0°18'42" West 13.871 meters (45.51 ft.); thence along the arc of a 400.000 meter (1312.34 ft.) radius curve to the right (the long chord of which bears South 1°40'23" West 19.005 meters (62.35 ft.)) 19.007 meter (62.36 ft.); thence South 3°02'03" West 90.980 meters (298.49 ft.); thence along the arc of a 120.000 meter (393.70 ft.) radius curve to the right (the long chord of which bears South 16°49'16" West 57.194 meters (187.64 ft.)) 57.750 meters (189.47 ft.); thence South 30°36'28" West 20.731 meters (68.02 ft.); thence along the arc of a 75.000 meter (246.06 ft.) radius curve to the left (the long chord of which bears South 18°56'02" West 30.351 meters (99.58 ft.)) 30.562 meters (100.27 ft.); thence South 7°15'36" West 3.131 meters (10.27 ft.); thence along the arc of a 200.000 meter (656.17 ft.) radius curve to the left (the long chord of which bears South 3°18'27" West 27.573 meters (90.46 ft.)) 27.595 meters (90.53 ft.); thence South 0°38'43" East 5.515 meters (18.09 ft.); thence along the arc of a 110.000 meter (360.89 ft.) radius curve to the right (the long chord of which bears South 15°55'30" West 62.742 meters (205.85 ft.)) 63.625 meters (208.74 ft.); thence South 32°29'43" West 6.997 meters (22.96 ft.) to Engineers centerline Station 2+133.253, said point bears South 11.338 meters (37.20 ft.) and West 29.150 meters (95.64 ft.) from the Southwest Corner of Section 21, Township 3 South, Range 5 West, of the Willamette Meridian.



RECORD OF SURVEY
SE 1/4 SEC. 20, T. 3S., R. 5W., W.M.
W 1/4 SEC. 21, T. 3S., R. 5W., W.M.
YAMHILL COUNTY, OREGON

CS-11692
MAY 2002
Cathy Sawyer

1970
STATION MITCHELL (327)
FD. BRASS DISK MARKED S 1/4 SEC. 30, T.2S., R.5W.,
YAMHILL CO. SURVEY 1958
04/25/99
PROJECT VALUES
N. 192270.569
E. 2277040.868
PUBLISHED VALUES
N. 192241.660
E. 2276768.561
OREGON STATE PLANE COORDS., NORTH ZONE
YAMHILL COUNTY SURVEYOR'S OFFICE



REFERENCES

- C.S. 2931, AUG. 19, 1941
- C.S. 7604, BY COOLEY, JULY 21, 1980
- C.S. 9850, BY DUNKEL
- C.S. P-3817, BY MORRIS, NO. DATE
- C.S. P-4793, BY JONES, NOV. 12, 1969
- C.S. P-4055, BY CLARK

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT THE FIELD LOCATION OF THE RIGGS WAY FOR THE LEGALIZED CENTERLINE OF REX BROWN ROAD (COUNTY ROAD NO. 331) PER BOARD ORDER NO. 02-802. ANOTHER PURPOSE OF THIS SURVEY WAS TO MONUMENT THE CENTERLINE OF THE RIGGS WAY AS THE LOCATION OF THE SURVEY MONUMENTS OF RECORD THAT MAY BE DESTROYED BY FUTURE CONSTRUCTION IMPROVEMENTS. PERPETUATION OF THE MONUMENT LOCATIONS WAS ACCOMPLISHED BY THE INSTALLATION OF BRASS DISK MONUMENTS. THIS SURVEY MEETS THE REQUIREMENTS FOR A RECOVERY SURVEY AS OUTLINED IN THE OREGON REVISED STATUTES CHAPTER 209.155.

THIS SURVEY WAS PERFORMED IN METRIC UNITS. TO CONVERT FROM METERS TO U.S. SURVEY FEET, MULTIPLY BY 3.2808333333. TO CONVERT FROM METERS TO INTERNATIONAL FEET, MULTIPLY BY 3.28083989501.

THIS SURVEY UTILIZED A LOCAL DATUM PLANE (LOPI) COORDINATE SYSTEM, WHICH IS RELATIVE TO THE OREGON STATE PLANE SYSTEM. TO CONVERT FROM LOCAL COORDINATES TO OREGON STATE PLANE COORDINATES TO LOCAL LATITUDE AND GROUND ELEVATION, TO CONVERT THE LOP COORDINATES TO THE OREGON STATE PLANE, SOUTH ZONE - NAD 83/91, MULTIPLY THE COORDINATE VALUES BY A COMBINED FACTOR OF 0.999880651.

THIS SURVEY WAS PERFORMED FROM JULY 2002 TO JANUARY 2003. THE SURVEY EQUIPMENT CONSISTED OF TRIMBLE DUAL FREQUENCY GPS, TRIMBLE 5600 ROBOTIC STATION AND 1501 DATA COLLECTOR.

THE CENTERLINE OF REX BROWN ROAD (COUNTY ROAD NO. 331) WAS THE AS-TRAVELED ROAD WAY IN ITS CURRENT POSITION AS LOCATED BY OREC DURING THIS SURVEY. IN THE COUNTY HAS COMPLETED PROCEEDINGS TO LEGALIZE THE CENTERLINE OF REX BROWN ROAD (COUNTY ROAD NO. 331) AS BEING 12.00 METERS (40.00 FEET) IN WIDTH, LYING 6.096 METERS (20.00 FEET) ON BOTH SIDES OF THE CENTERLINE PER BOARD ORDER NO. 02-802. THIS SURVEY MEETS THE REQUIREMENTS FOR THE MONUMENTS SET FOR THE RIGHT OF WAY IN THIS LOCATION.

SHEET INDEX & BASIS OF BEARING
NO SCALE

40
STATION, NEA SAT 18 18
FD. BRASS DISK MARKED "NEA SAT 4-2"
YAMHILL CO. 1972
(3/22/99)
PUBLISHED VALUES
N. 184671.523
E. 2282496.458
E. 2282846.458
OREGON STATE PLANE COORDS., NORTH ZONE
YAMHILL COUNTY SURVEYOR'S OFFICE

LEGEND

▲ PROJECT CONTROL POINT FOUND IN 63°01'20" E
N 70°46'22" E MEASURED INFORMATION AS NOTED IN TABLE

□ RECORD INFORMATION

I, ANNA DUPLANT, STATE THAT THIS SURVEY WAS PREPARED USING HEWLETT-PACKARD PRODUCT SIGASA ON CONTINENTAL SUP-CHM2 POLYESTER FILM.

Anna Duplant DATE

REGISTERED PROFESSIONAL LAND SURVEYOR
Anna Duplant
EXPIRES 12/31/04
SIGNED 01/21/03

CONSULTING ENGINEERS
CENTER LINE RESOLUTION MONUMENT RECORD AND CONTROL SURVEY
REX BROWN ROAD
(COUNTY ROAD NO. 331)
YAMHILL COUNTY
JANUARY 2003

NO COUNTY CLEAR PER STATE 808
TEL. 503-848-6800 FAX 503-848-6878

NOTES
ALL DIMENSIONS ARE IN METERS EXCEPT AS NOTED.

DESIGNED BY	D. WOODR	PROJ. NO.	117-4	SHT. 1 OF 6	
DRAWN BY	AD	CHECKED BY	U.S.	FILE NO.	1290 E
TITLE	RECORD OF SURVEY				

ATTACHMENT "B" 1/6
B.O. 02-802

Page 1 of 17

RECORD OF SURVEY
SE 1/4 SEC. 20, T. 3S., R. 5W., W.M.
W 1/4 SEC. 21, T. 3S., R. 5W., W.M.
YAMHILL COUNTY, OREGON

CS-11672
Issued 01-25-03
County Surveyor



LEGEND
 • SET 16mm IRON ROD W/YELLOW PLASTIC CAP MARKED "1.5 2825"
 MONUMENT FOUND AS NOTED IN TABLE.
 ○ PROJECT CONTROL POINT SET AS NOTED IN TABLE.
 ▲ ASPECTED TIE POINT FOUND AS NOTED IN TABLE.
 - - - - - EDGE GRAVEL
 - - - - - EDGE PAVING
 - - - - - EXISTING FENCE
 - - - - - MEASURED INFORMATION
 (IN 0°01'00"-1°)
 RECORD INFORMATION

NOTES:
ALL DIMENSIONS ARE IN METERS EXCEPT AS NOTED.

CONSULTING ENGINEERS
 CENTER LINE RESOLUTION
 MONUMENT RECOVERY AND CONTROL SURVEY
 REX BROWN ROAD
 (COUNTY ROAD NO. 331)
 YAMHILL COUNTY
 JANUARY, 2003
 SCALE 1:500
 DESIGNED: D. WORME
 DRAWN: J.D.
 CHECKED: M.A.
 FILE NO. 12053.5

* DENOTES POINT OUTSIDE MAPPING BOUNDARY.

PT NO.	DESCRIPTION	REFERENCE	DATE	FD/SET	STATION	OFFSET	NORTHING	EASTING	LDP
110	SET 16mm IRON ROD W/YPC "ORIEC CONTROL"	ORIEC CONTROL	7/15/02		1+344.478	3.556 RT.	184935.519	2279158.044	
140	SET 16mm IR W/YPC "ORIEC CONTROL"	ORIEC CONTROL	7/15/02		1+251.210	52.425 RT.	184934.250	2279120.053	
111	SET 16mm IRON ROD 100 mm BELOW GRAVEL	C.S.P. - 381.7 BY MORRIS	7/15/02		1+344.208	0.371 LT.	184933.664	2279145.920	
511	FD 25mm IRON PIPE 350mm BELOW GROUND	C.S.P. - 381.7 BY MORRIS	8/7/02		1+254.115	65.084 RT.	184933.387	2279091.439	
6012	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	8/7/02		1+204.780	59.108 RT.	184930.205	2279090.447	
6013	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+282.513	6.096 LT.	185016.200	2279168.328	
6014	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+282.513	6.096 RT.	185019.148	2279154.289	
6015	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+304.788	6.096 RT.	184954.384	2279153.202	
6016	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+232.780	6.096 LT.	184957.458	2279167.450	
6017	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+358.182	6.096 LT.	184961.004	2279158.251	
6018	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+358.182	6.096 RT.	184961.004	2279162.912	
6019	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+384.044	6.096 LT.	184916.655	2279162.912	
6020	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+384.044	6.096 RT.	184916.655	2279154.291	
6021	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+432.379	6.096 RT.	184867.298	2279167.212	
6022	SET 16mm IRON ROD W/YPC "ORIEC PLS 2825"	N/A	1/16/03		1+432.379	6.096 LT.	184867.298	2279167.212	

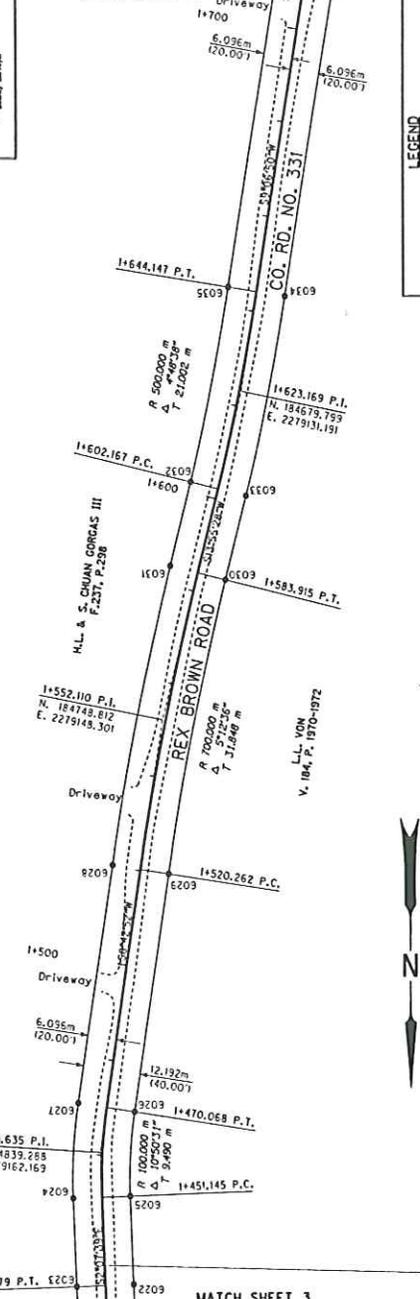
ATTACHMENT "B" 3/6
 B.O.-02-802

RECORD OF SURVEY
 SE 1/4 SEC. 20, T. 5S., R. 3W., W.M.
 W 1/2 SEC. 21, T. 5S., R. 3W., W.M.
 YAMHILL COUNTY, OREGON

05-11692
 Revised 07-22-05
 D. Worke

MATCH SHEET 5

MATCH SHEET 3



LEGEND

- SET 16mm IRON ROD W/YELLOW PLASTIC CAP MARKED "LS 2825" - MONUMENT FOUND AS NOTED IN TABLE.
- PROJECT CONTROL POINT SET AS NOTED IN TABLE.
- △ PROJECT CONTROL POINT FOUND AS NOTED IN TABLE.
- EDGE GRAVEL
- EDGE PAVING
- EXISTING FENCE
- MEASURED INFORMATION
- RECORD INFORMATION

N 70°46'22"E
 (IN 69°01'30" E)

NOTE:
 ALL DIMENSIONS ARE
 IN METERS
 UNLESS NOTED

CONSULTING ENGINEER

 D. WORKE
 12644
 OREGON
 JANUARY, 2003

PROFESSIONAL LAND SURVEYOR

 D. WORKE
 12644
 OREGON
 JANUARY, 2003

* DENOTES POINT OUTSIDE MAPPING BOUNDARY.

PT NO	DESCRIPTION	REFERENCE	DATE FD/SET	STATION	OFFSET	LDP	NORTHING	EASTING
4022	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+432.319	6.096 RT.	184867.238	2279155.028	
4023	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+432.319	6.096 L.T.	184867.238	2279155.028	
4024	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+451.145	6.096 L.T.	184846.937	2279167.209	
4025	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+451.145	6.096 RT.	184846.937	2279167.209	
4026	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+470.068	6.096 RT.	184830.931	2279154.706	
4027	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+470.068	6.096 L.T.	184830.931	2279154.706	
4028	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+520.262	6.096 L.T.	184779.370	2279159.152	
4029	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+520.262	6.096 RT.	184779.370	2279159.152	
4030	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+583.915	6.096 RT.	184716.567	2279154.129	
4031	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+583.915	6.096 L.T.	184716.567	2279154.129	
4032	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+602.167	6.096 L.T.	184698.718	2279147.162	
4033	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+602.167	6.096 RT.	184701.652	2279150.328	
4034	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+644.147	6.096 RT.	184650.028	2279151.845	
4035	SET 16mm IRON ROD W/PPC -ORIG P.I.S. 2825*	N/A	1/16/03	1+644.147	6.096 L.T.	184658.076	2279153.883	

ATTACHMENT "B" 4/6
 B.O. 02-802

RECORD OF SURVEY
 SEW SEC. 20, T. 3S., R. 5W., W.M.
 W/4 SEC. 21, T. 3S., R. 5W., W.M.
 YAMHILL COUNTY, OREGON

CS-11692
 Revised 01-26-03
 County Surveyor

VON FAMILY LIMITED PARTNERSHIP
 199811007

WILLAMETTE VALLEY LUMBER CO.
 F. 200, P11837-1638



LEGEND

- SET 16mm IRON ROD W/YELLOW PLASTIC CHIP MARKED "CS 2825" - MONUMENT FOUND AS NOTED IN TABLE.
- PROJECT CONTROL POINT SET AS NOTED IN TABLE.
- ▲ PROJECT CONTROL POINT FOUND AS NOTED IN TABLE.
- △ EDGE GRAVEL
- EDGE PAVING
- EXISTING FENCE
- MEASURED INFORMATION
- RECORD INFORMATION

N 70°46'22"E
 (N 69°00'30"-E)



NOTICE: DIMENSIONS ARE IN METERS EXCEPT AS NOTED.

APPROVED BY: [Signature]

DATE: 01/26/03

OBEC CONSULTING ENGINEERS
 1000 COMMERCIAL AVENUE
 SUITE 100
 YAMHILL, OREGON 97148

CENTER LINE RESOLUTION,
 MONUMENT RECOVERY AND CONTROL SURVEY
 REX BROWN ROAD
 (COUNTY ROAD NO. 331)
 YAMHILL COUNTY
 JANUARY, 2003

SCALE: 1"=50'

POINT TABLE
 * DENOTES POINT OUTSIDE MAPPING BOUNDARY.

PT. NO.	DESCRIPTION	REFERENCE	FB/SET DATE	STATION	OFFSET	NORTH	EASTING	LDP
1170	FD 1524 WAREG -SEC. 20/21/22/23 BVA YAMHILL CO. SURVEY 1981*	YAMHILL CO.	1/12/02	N/A	N/A	180387.258	228032.941	
6036	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 L.T.	184573.167	2279170.258	
6037	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 RT.	184573.098	2279168.252	
6038	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 RT.	184551.495	2279162.152	
6040	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 L.T.	184554.617	2279164.622	
6041	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 RT.	184551.716	2279098.422	
6043	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 L.T.	184511.640	2279110.613	
6044	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+730.162	4.094 L.T.	184497.780	2279110.538	
6046	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+807.360	4.094 RT.	184497.846	2279208.258	
6047	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+826.367	4.094 RT.	184479.138	2279207.800	
6048	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+826.367	4.094 L.T.	184479.493	2279159.272	
6049	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+826.367	4.094 L.T.	184387.640	2279165.150	
6050	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+826.367	4.094 RT.	184387.640	2279092.292	
6051	SET 16mm IRON ROD W/YPC -OBEC PLS 2825*	N/A	1/16/03	1+826.367	4.094 RT.	184387.640	2279071.272	

ATTACHMENT "B" 5/6
 B.O. 02-802

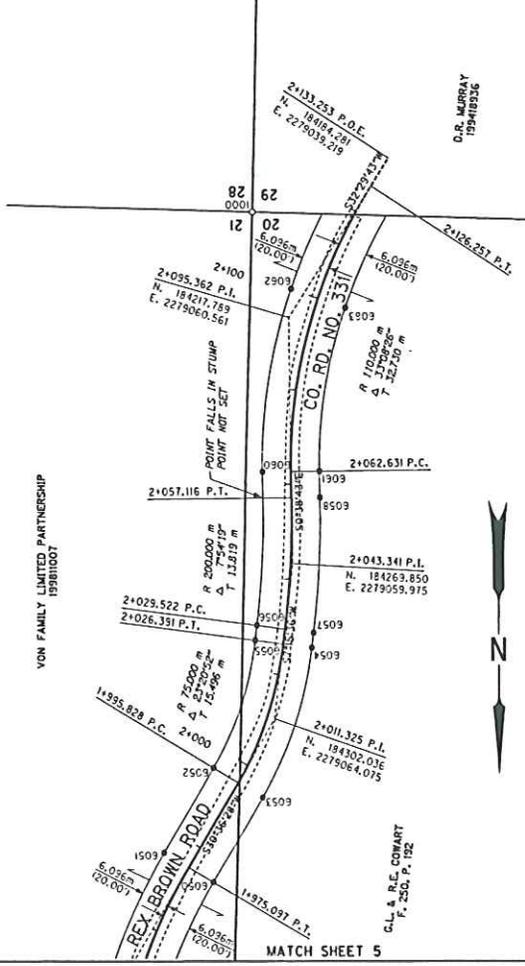
02.02.10.06.17

RECORD OF SURVEY
 SE¼ SEC. 20, T. 3S., R. 5W., W.M.
 W½ SEC. 21, T. 3S., R. 5W., W.M.
 YAMHILL COUNTY, OREGON

CS-11692

Revised 01-22-05
 County Surveyor

VON FAMILY LIMITED PARTNERSHIP
 19981007



LEGEND
 SET 16mm IRON ROD W/YELLOW PLASTIC CAP MARKED "CS 2825" - POINT FOUND AS NOTED IN TABLE.
 PROJECT CONTROL POINT SET AS NOTED IN TABLE.
 PROJECT CONTROL POINT FOUND AS NOTED IN TABLE.
 EDGE GRAVEL
 EDGE PAVING
 EXISTING FENCE
 N 70°46'22"E
 IN 59°01'30" E
 MEASURED INFORMATION
 RECORD INFORMATION



NOTE:
 ALL DIMENSIONS ARE
 IN METERS EXCEPT
 AS NOTED.



* DENOTES POINT OUTSIDE MAPPING BOUNDARY.

PT NO.	DESCRIPTION	REFERENCE	DATE FD/SET	STATION	OFFSET	LOP NORTHING	LOP EASTING
1000	FB DISC MARKED -SEC. 20/21/29/28L. DIS. R/W 1940.1148*	44330	9/6/02	2+110.757	19.782 LT.	184191.619	2222088.345
6050	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	1+875.097	6.076 LT.	184336.300	2222002.224
6051	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	1+875.077	6.076 LT.	184336.112	2222087.767
6052	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	1+895.878	6.076 LT.	184312.249	2222087.212
6053	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	1+895.878	6.076 RT.	184318.317	2222086.718
6054	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+024.371	6.076 RT.	184255.354	2222086.018
6055	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+024.371	6.076 LT.	184255.354	2222086.114
6057	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+029.252	6.076 LT.	184254.329	2222055.614
6058	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+057.116	6.076 RT.	184255.593	2222054.035
6060	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+062.631	6.076 LT.	184250.495	2222056.288
6061	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+062.631	6.076 RT.	184250.498	2222054.037
6062	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+100.000	6.076 LT.	184211.828	2222060.081
6063	SET 16mm IRON ROD W/PPC -ORBC P.L.S. 2825*	N/A	1/16/03	2+100.000	6.076 RT.	184211.761	2222058.545

PROFESSIONAL LAND SURVEYOR
 D. W. MURRAY
 199818936

ROSE CONSULTING ENGINEERS
 CENTER LINE RESOLUTION
 MEASUREMENT RECOVERY AND CONTROL SURVEY
 REX BROWN ROAD
 (COUNTY ROAD NO. 331)
 YAMHILL COUNTY
 JANUARY, 2003

DESIGNED BY: D. WOODR
 DRAWN BY: D. WOODR
 CHECKED BY: D. WOODR
 TITLE: REX BROWN ROAD
 SCALE: 1:500
 PLS. NO. 117-4 SHF. 6 OF 6
 FILE NO. 1765.5

ATTACHMENT "B" 6/4
 B.O. 02-802

Doc. 11 0617



Yamhill County
Public Works Department
2060 Lafayette Avenue, McMinnville, OR 97128
Ph. 503.434.7515 Fax 503.472.4068 E-mail pubwork@co.yamhill.or.us
TTY 1-800-735-2900

William A. Gille, P.E. Russ Heath
Director Road Master Shop Supervisor

Attachment "C"
ROAD REPORT
Rex Brown Road (County Road No. 331)
November 12, 2002
To: Yamhill County Board of Commissioners
From: William A. Gille, P.E., P.L.S, Director of Public Works *W. Gille*

Subject: THE MATTER OF LEGALIZING REX BROWN ROAD (COUNTY ROAD NO. 331)

Request: To legalize Rex Brown Road pursuant to and as required by ORS 368.206, in the initiation of proceedings to legalize a County Road.

OBEC Consulting Engineers performed a survey for Yamhill County of the Panther Creek Bridge on Rex Brown Road. Through their research, it was determined that there is no record of Rex Brown Road being accepted as a county road. Rex Brown Road has been used by the abutting property owners as a means of ingress and egress for more than 10 years. The county has maintained Rex Brown Road as a county road for more than 10 years and recommends the legalization of the right of way. The location of the existing road and a centerline alignment is shown on the attached survey prepared by OBEC Consulting Engineers. Also attached is a letter from OBEC Consulting Engineers stating a brief history of their research and findings.

Rex Brown Road (County Road No. 331) was created in the late 1800's to early 1900's. The Statutory County Road Widths for this era is 12.192 meters (40.00 ft.) in width; therefore, the legalized right of way will be 12.192 meters (40.00 ft.), 6.096 meters (20.00 ft.) on both sides of centerline.

ORS 368.201 (1) provides that the county governing body may initiate proceedings to legalize a county road under ORS 368.201 to 368.221 if through omission or defect, doubt exists as to the legal establishment or evidence of establishment of a public road. As afore mentioned no county record was found for the establishment of Rex Brown Road.

Based on the facts provided, I recommend initiating proceeding to legalize Rex Brown Road to the as-traveled position as depicted on said OBEC Consulting Engineers survey.

Enclosures: survey and letter

Att. C - 1/2
B.O. 02-802

October 17, 2002

**Rex Brown Road Bridge
Yamhill County**

Right of Way status of Rex Brown Road (County Road No. 331): After extensive research no record of right of way acceptance or dedication was found.

The Yamhill County Surveyor was contacted first in aid for any right of way documentation. According to the County Surveyor, no documentation existed and the county had prescriptive rights only. Further investigation at the County was executed at the Deeds and Records, Taxation Department, Cartography Department and Roadway Department. No records were found. Western Title & Escrow Company was first contacted to obtain Preliminary Title Reports and Chain of Title on the abutting properties. Through their research, no record of the right of way was found either. Western Title Co. was unable to help us with the Preliminary Title Reports, so Northwest Title Co. was contacted and was able to provide us with that information. Northwest Title Co. was also asked to research into any record of the County Road. They gave us the name of Randy Webb at the County Road Department to research this further. Randy was contacted and was unable to locate any information. Randy put us in touch with the Director of Public Works, Bill Gille. Bill said that he has spent a lot of time in the past attempting to recover any documents for the right of way of Rex Brown Road. He said he is sure there are no documents that exist. The closest they came was a road one-eighth mile away. Which may indicate Rex Brown Road is not in the correct location.

The tax map and surveys show Rex Brown Road as being County Road No. 331 (being 40 feet in width) and Panther Creek Road as being County Road No. 231. Some of the deeds of record along Rex Brown Road call out to the center of County Road 231. This leaves us with two different County Road Numbers, 231 and 331. It appears from deed research that at one time this portion of Rex Brown Road used to be Panther Creek Road as mentioned in the deed to Tax Lot 2000, which refers to a fork on Panther Creek Road.

The deeds, which call out the Rex Brown Road, do not call any bearings, just calls along and perpendicular to Rex Brown Road. It was concluded that Rex Brown Road would need to be legalized due to the findings described above.

Daniel E. Wobbe, P.L.S.



EXPRES 06302004
B.D. 02-802
Att. C-2/2

Attachment "D"

REX BROWN ROAD (COUNTY ROAD NO. 331) LEGALIZATION

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR YAMHILL COUNTY, OREGON

In the Matter of the Proposed)
Legalization of a Portion of Rex Brown Road) AFFIDAVIT OF POSTING
County Road No. 331)

STATE OF OREGON)
) ss.
County of Yamhill)

I, Dan Linscheid, being the first duly sworn, hereby depose and say the following is true as I verily believe:

1. I am the duly elected County Surveyor for Yamhill County, Oregon.
2. Copies of the attached Notice of Public Hearing were posted in no less than three places on or near the vicinity of the portions of Rex Brown Road (County Road No. 331), which is subject to the legalization proceeding.
3. Copies of said postings were placed at the following locations:

- A. The North end of Rex Brown Road near its intersection with Panther Creek Road.
- B. The middle stretch of Rex Brown Road approximately 1/4 mile south of its intersection with Panther Creek Road.
- C. The South end of Rex Brown Road near the end of county maintenance.

4. Copies of the said proceedings were placed at least 20 days before the date of the hearing mentioned in the notice.

Att. D-1/3
B.O. 02-802

By: *Alan S. Smith* 10/25/2002
YAMHILL COUNTY SURVEYOR

Subscribed and sworn before me this 25 day of October, 2002.

Kelly L. Fetters
Notary of Public for Oregon

My commission expires: November 4, 2002



ATT D-2/3

P.O. 02-802



Yamhill County
Public Works Department
2060 Lafayette Avenue, McMinnville, OR 97128
Ph. 503.434.7515 Fax 503.472.4068 E-mail pubwork@co.yamhill.or.us
TTY 1-800-735-2900

William A. Gille, P.E.
Director

Susan Mundy
Road Master

Russ Heath
Shop Supervisor

NOTICE OF LEGALIZATION PROCEEDINGS

FOR A PORTION OF REX BROWN ROAD (COUNTY ROAD NO. 331) BEGINNING AT PANTHER CREEK ROAD (COUNTY ROAD NO. 231) AND CONTINUING SOUTH WESTERLY TO THE NORTH BOUNDARY OF THE MURRAY PROPERTY, BEING THE SOUTH LINE OF SECTION 20, TOWNSHIP 3 SOUTH, RANGE 5 WEST OF THE WILLAMETTE MERIDIAN.

In the preparation for a proposed bridge reconstruction project, the existing centerline of the above named road section has been resurveyed. The purpose of this notice is to inform abutting land owners that the Yamhill County Board of Commissioners will, after hearing, determine in accordance with the Oregon law that the legal centerline of Rex Brown Road (County Road No. 331) to be the road as-traveled. The existing right of way for this section of County road has been determined to be 12.192 meters (40.00 ft.) in width, lying 6.092 meters (20.00 ft.) on both sides of centerline. The existing as-traveled centerline is being legalized because doubt exists as to the legal establishment or evidence of establishment of the public road.

All persons interested in or concerned with the above named County road section, used and traveled as such more than 10 years, are hereby notified that this has been resurveyed as traveled, and the Board of County Commissioners will, on November 14, 2002, in Room 32 of the Yamhill County Courthouse, McMinnville, Oregon hear and determine whether the road herein described and included in the survey shall be ordered as a lawful county road and public highway; and objections thereto, or claims for damages, must be filed in the Yamhill County Commissioners Office on or before 10:00 am, November 14, 2002, at Board of County Commissioners, Yamhill County Courthouse, 535 NE 5th, McMinnville, or the road section herein described will be declared a county road and public highway, as per ORS Chapter 368, County Roads.

At or before the hearing, any person may file with the Board of the County Commissioners any information that controverts any matter presented to the Board in the preceding or alleging any new matter relevant to the proceeding. Interested parties may appear and be heard. The proceeding will be held pursuant to the provisions of ORS 368.201 to 368.221.

A preliminary map of the survey may be viewed and detailed information obtained at the Yamhill County Surveyors Office.

Dated this October 25, 2002.

William A. Gille, Director of Public Works

AH D-3/3
B.O. 02-802

Attachment "E"

REX BROWN ROAD (COUNTY ROAD NO. 331) LEGALIZATION

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR YAMHILL COUNTY, OREGON

In the Matter of the Proposed)
Legalization of a Portion of Rex Brown Road) AFFIDAVIT OF SERVICE (MAILING)
County Road No. 331)

STATE OF OREGON)
) ss.
County of Yamhill)

I, William A. Gille, being the first duly sworn, hereby depose and say the following is true as I verily believe:

1. I am the duly appointed Director of Public Works for Yamhill County, Oregon.
2. Copies of the attached Notice of the Public Hearing (Service) were served on owners of land adjacent to and abutting the portion of Rex Brown Road, which is subject to the road legalization proceedings.
3. Copies of the said notice were served by certified mail, returned receipt requested, to the last known address of the person being served.
4. Copies of said notice were served at least 30 days before the date of the hearing mentioned in the notice. All parties except Richard S. Pickering have returned receipts certifying that they received the notice. Mr. Pickering's notice was returned to this office with an indication of "unclaimed".
5. A list of persons served and their addresses, all of which were served on October 15, 2002, is attached.

By: William A. Gille

Subscribed and sworn before me this 12th day of November, 2002.

Carol Ann White
Notary of Public for Oregon
My commission expires 9-17-04
AFFIDAVIT OF SERVICE (MAILING)



Att E - 1/1
B.O. 02-802