

ROAD LEGALIZATION REPORT

County Road No. 1203

CANAL ROAD

**Located near the line between the Southeast
1/4 of Section 6 and the Southwest 1/4 of
Section 5, Township 4 North, Range 29 E.W.M.**

April 18, 1997

Umatilla Co. Dept. of Public Works

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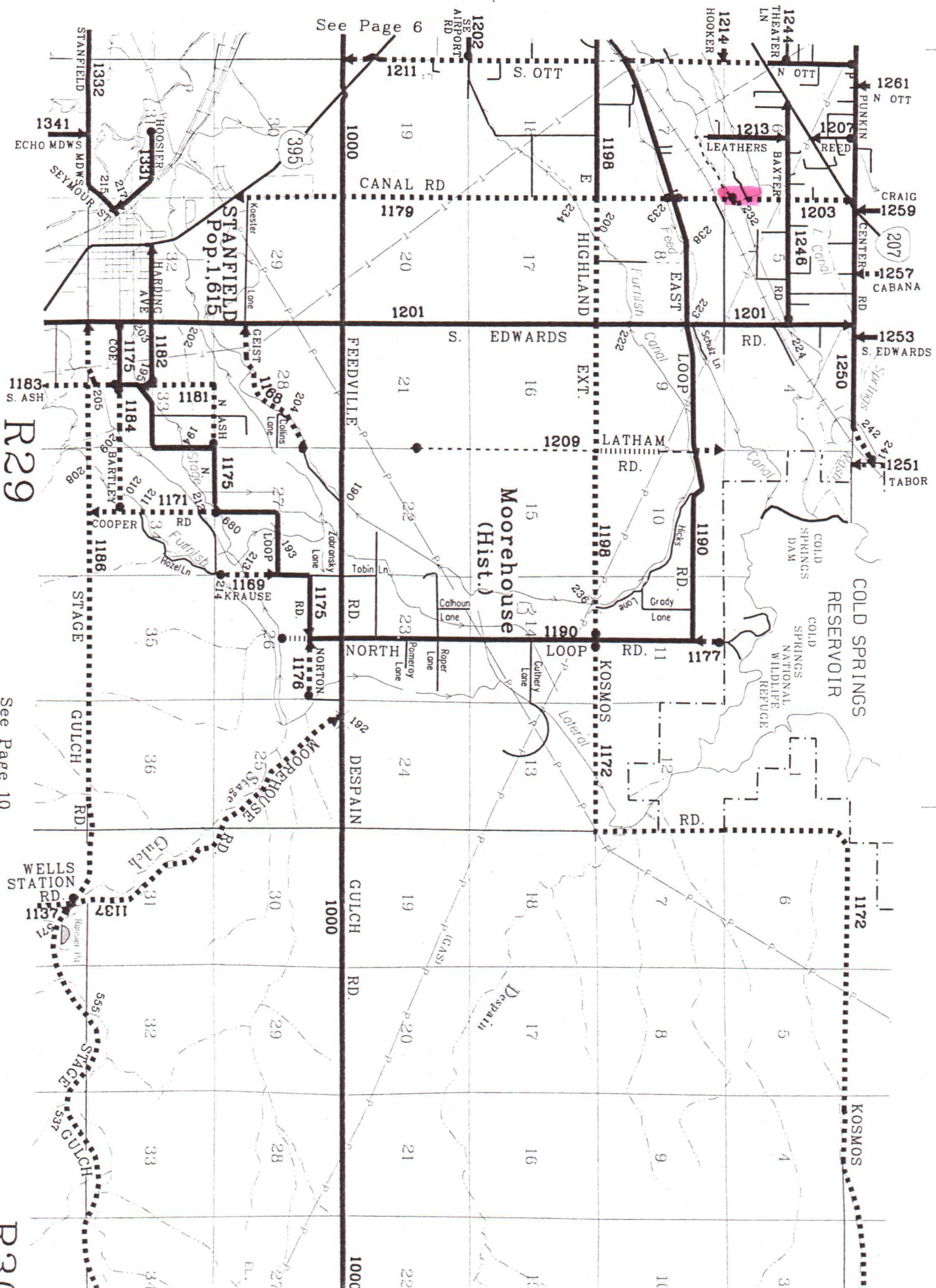
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119° 15' 00"

119° 07' 30"

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R29

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R30

LEGALIZATION REPORT

Summary

A survey order dated April 3, 1996 was issued by the Board of Commissioners to survey and monument a portion of County Road #1203 (Canal Road). The survey was completed by the Public Works Department in February, 1997 and a copy of the plat is attached. On March 17, 1997, notice of the public hearing was posted in 3 public places and all persons owning land abutting the proposed legalization were notified. Notice of the public hearing was published twice in the East Oregonian.

Facts and Findings

The survey of the road showed it to vary by up to 200 feet from its original dedicated position along the section line. The bridge (in the curved portion on the attached survey map) is approximately 175 feet from the section line. Road records indicate that the bridge was built in 1920, so the road has been more or less in its present location at least since then. The attached copy of the railroad map is dated 1951 and shows the road (highlighted in pink) in its present location. No record exists of why or when the road was moved off of the section line.

Normally a survey for a road legalization would show the right-of-way centerline near the center of the existing road. In this case, however, the road was surveyed with the easterly right-of-way line very near the east edge of the traveled road from the bridge northwesterly to the end of the second curve. One reason was to keep from affecting property ownerships on the east that were established by a 1989 land partition. Another reason is that federal funding has been approved to replace the bridge in 1998 and it is anticipated that a small parcel of property will need to be obtained northeast of the bridge in order to correct the defective alignment of the bridge. Because the land will be appraised and the owners will be reimbursed for the property, it would be unfair to use a legalization process to obtain part of the needed right-of-way.

Impacts to Utilities and Property Owners

All utilities in the area were located and kept within the surveyed right-of-way as much as possible.

Because the proposed legalized right-of-way (highlighted in yellow on the survey map) is based on the road as it has existed for many years and matches recent property surveys, no landowners would be affected adversely by the legalization. Later vacation of

the dedicated right-of-way will benefit landowners on the west who have various improvements on the old right-of-way (highlighted in pink on the survey map).

Statutes

ORS 368.201(3) provides for legalizing a road as traveled and used for 10 years or more if its location does not conform to the location described in County road records. The 1951 railroad map and road records showing the 1920 construction date of the bridge both indicate the road has been more or less in its present location for many years.

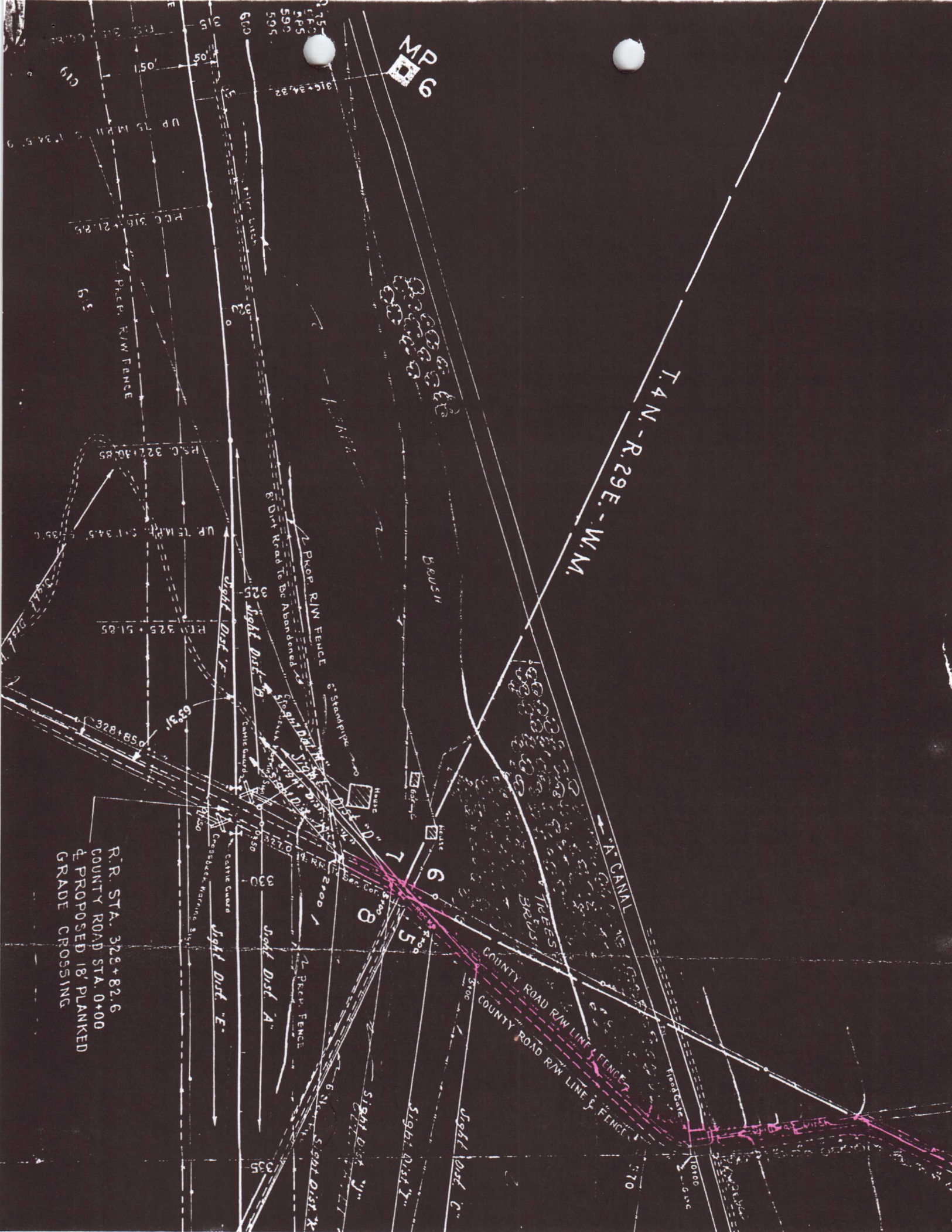
Recommendation

The Public Works Department recommends that the road be legalized as shown on the survey map (in yellow) and described in the final order to correct the records of its location and to provide a base from which any property needed for new bridge construction can be described.

MP 9

T.4 N.-R.29 E.-W.M.

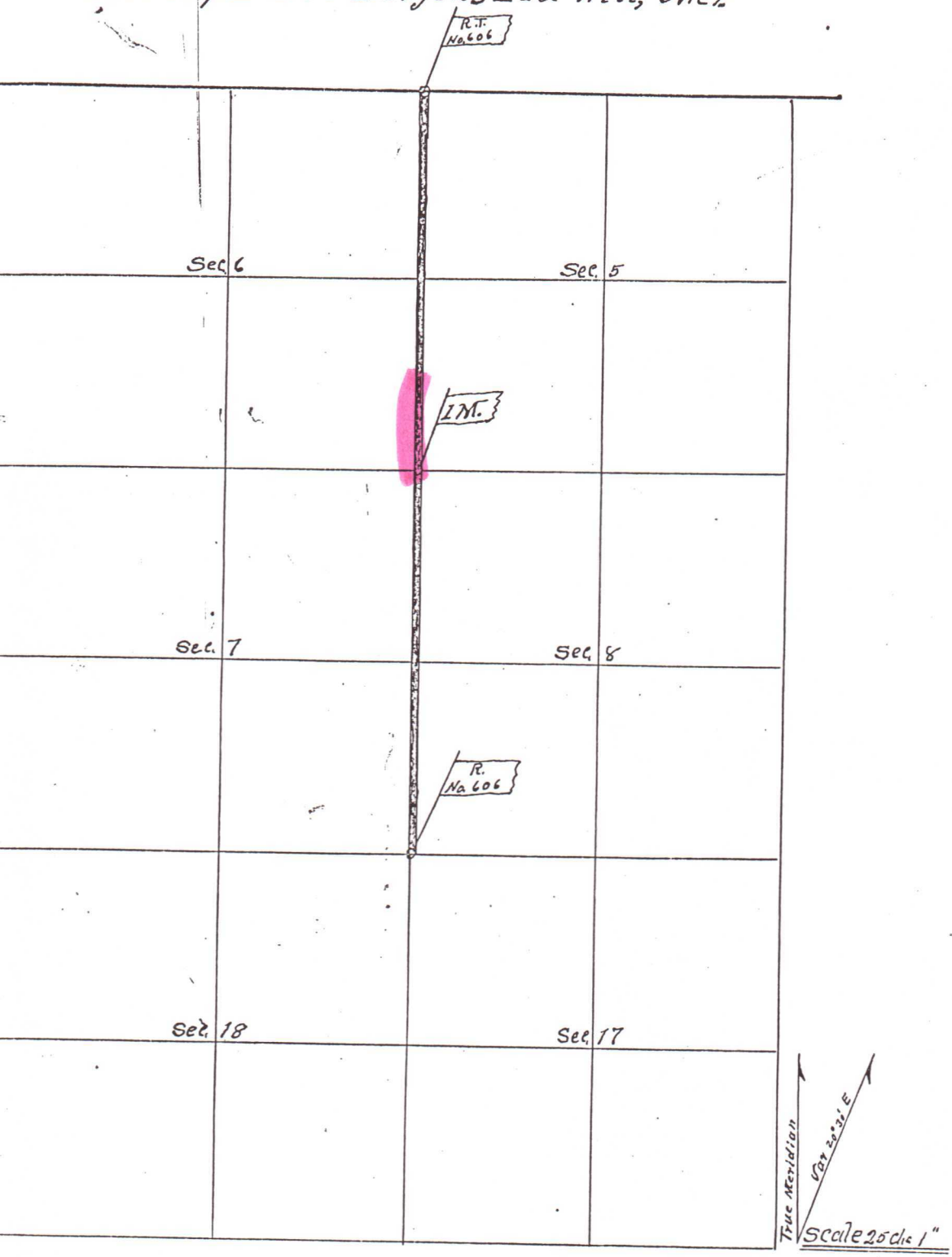
R.R. STA. 328+82.6
COUNTY ROAD STA. 0+00
4' PROPOSED 18' PLANKED
GRADE CROSSING



606

Plat of Road No. 606

in Township 4 North Range 29 East Will, Mex



Field Notes of Road No 606

Commencing at the corner to Nos 7-8-17 & 18

24 N to 29 E W on set post 4x4 inch 4 ft long

46 ft to NB marked R 606

Thence North bet Nos 7 & 8

43.00 U.S. ditch line NB & SW

8000 cor to Nos 5-6-7 & 8 set post 4x4 inch 4 feet long

46 feet to NB marked I.M.

Thence North bet Nos 5 & 6

7.00 ditch line NB & SW

16.00 " " NB & SW

8000 the closing corner of Nos 5 & 6 set post

4x4 inches 4 feet long 33 ft North marked R.T. No. 606

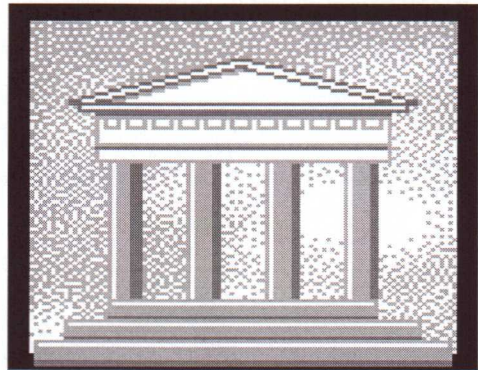
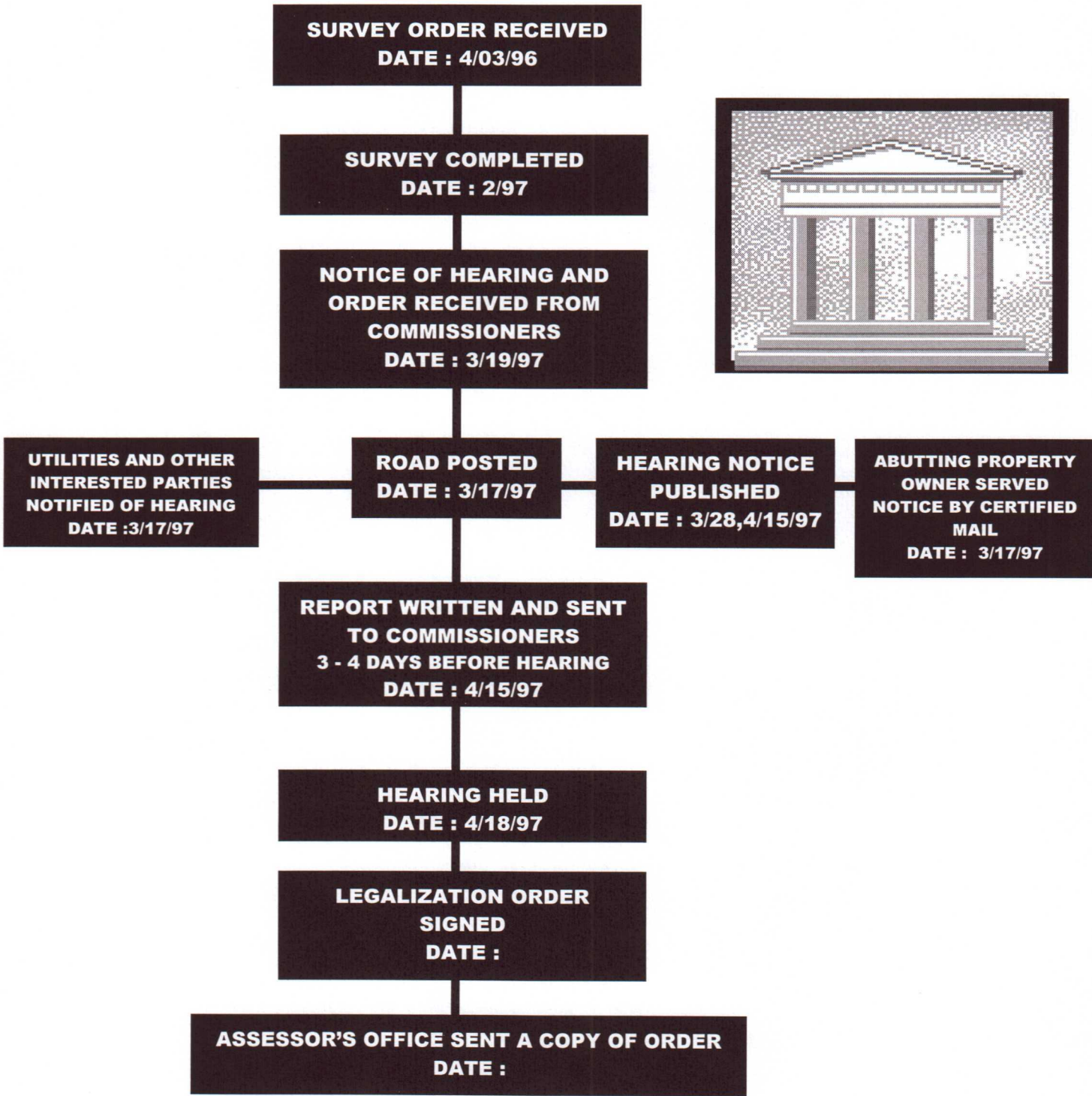
I hereby certify that the foregoing Field Notes of Road
No 606 are correct as surveyed by me on the 17th day of Feb. 1907

John W. Simble

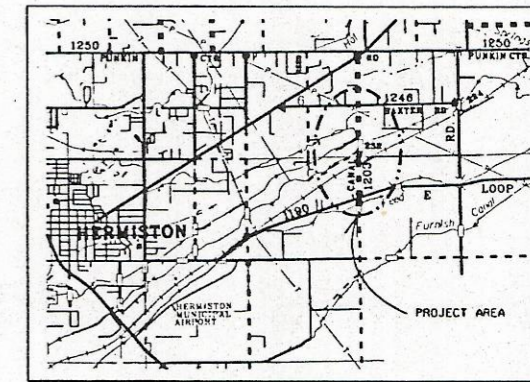
County Surveyor

ROAD LEGALIZATION

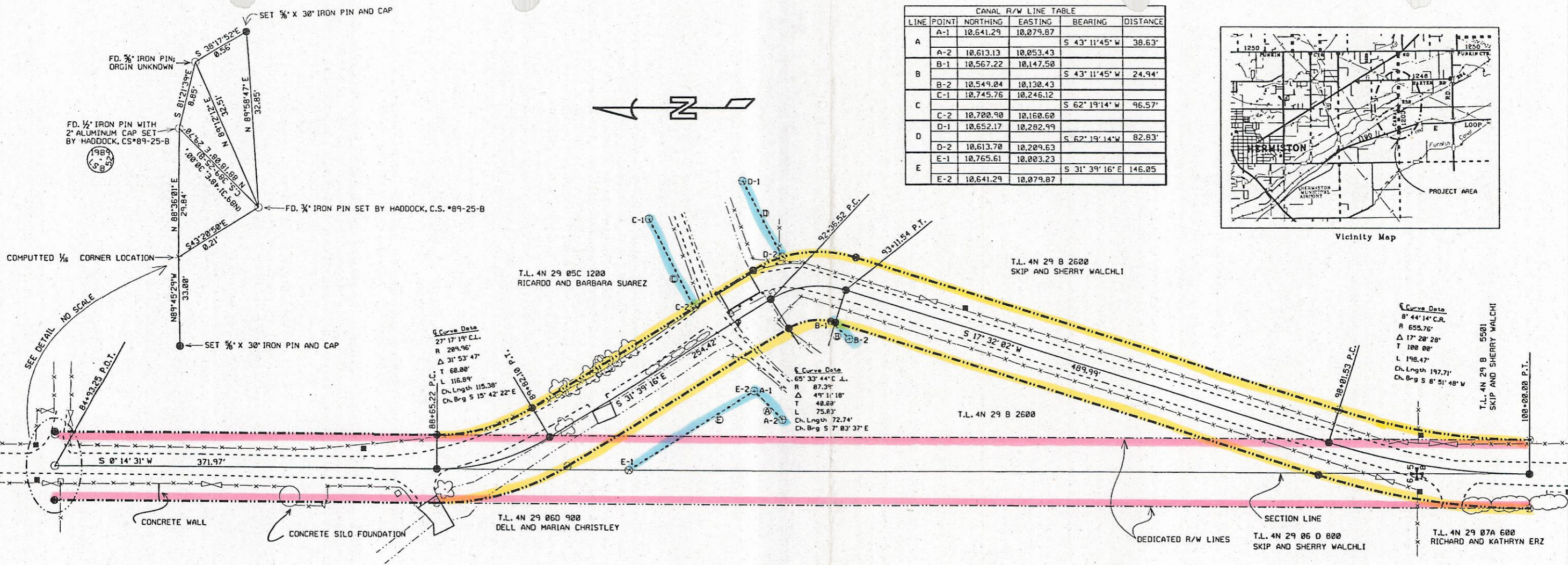
ROAD NAME : CANAL ROAD
ROAD NUMBER : 1203



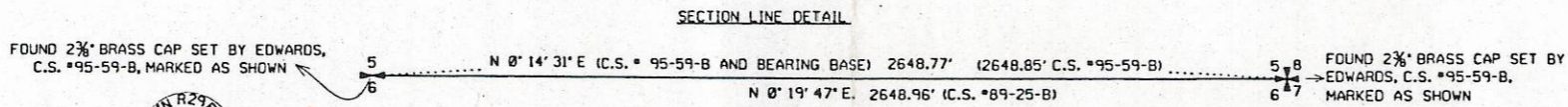
LINE	POINT	NORTHING	EASTING	BEARING	DISTANCE
A	A-1	10,641.29	10,079.87	S 43° 11' 45" W	38.63'
	A-2	10,613.13	10,053.43		
B	B-1	10,567.22	10,147.50	S 43° 11' 45" W	24.94'
	B-2	10,549.04	10,130.43		
C	C-1	10,745.76	10,246.12	S 62° 19' 14" W	96.57'
	C-2	10,700.90	10,160.60		
D	D-1	10,652.17	10,282.99	S 62° 19' 14" W	82.83'
	D-2	10,613.70	10,209.63		
E	E-1	10,765.61	10,003.23	S 31° 39' 16" E	146.05'
	E-2	10,641.29	10,079.87		



Vicinity Map



SEE DETAIL NO SCALE
COMPUTED 1/6 CORNER LOCATION



- LEGEND**
- ✦ FOUND BRASS CAP AT SECTION CORNER LOCATION, AS NOTED
 - ✦ FOUND BRASS CAP AT 1/4 CORNER LOCATION, AS NOTED
 - FOUND MONUMENT AS NOTED
 - CALCULATED POINT - NOT SET
 - SET 1/8" x 30" IRON PIN WITH PLASTIC CAP MARKED "UMA. CO. RD. DEPT. ... LS 2627"
 - POWER POLE
 - TELEPHONE
 - FENCE
 - GATE
 - RIGHT-OF-WAY LINE
 - CENTERLINE
 - EDGE OF GRAVEL
 - TOP OF CANAL BANK
 - GUARDRAIL
 - ⊙ BENCH MARK
 - CANAL R/W
 - ☼ TREE
 - ☼ BRUSH

STATION	NORTHING	EASTING
84+93.25 P.O.T. 1/4 (1/6 CALC. COR.)	11,324.38	10,005.59
84+93.25 P.O.T. 33' RT	11,324.51	9972.59
84+93.25 P.O.T. 33' LT	11,324.24	10,038.59
88+65.22 P.C.	10,952.48	10,004.02
88+65.22 P.C. 33' RT	10,952.54	9971.02
88+65.22 P.C. 33' LT	10,952.27	10,037.02
89+82.10 P.T.	10,841.33	10,035.25
89+82.10 P.T. 33' RT	10,824.01	10,007.16
89+82.10 P.T. 33' LT	10,858.65	10,063.35
92+36.52 P.C.	10,624.77	10,168.77
92+36.52 P.C. 33' RT	10,607.45	10,140.68
92+36.52 P.C. 33' LT	10,642.08	10,196.86
93+11.54 P.T.	10,552.58	10,177.71
93+11.54 P.T. 33' RT	10,562.52	10,146.24
93+11.54 P.T. 33' LT	10,542.63	10,209.18
98+01.53 P.C.	10,085.35	10,038.09
98+01.53 P.C. 33' RT	10,095.30	9998.63
98+01.53 P.C. 33' LT	10,075.41	10,061.56
100+00.00 P.T.	9890.00	9999.63
100+00.00 P.T. 33' RT	9890.11	9966.63
100+00.00 P.T. 33' LT	9889.89	10,032.63
SEC. COR.	615 718	10,000.00
1/4 COR.	615	12,648.75
		10,011.18

CANAL ROAD CENTERLINE DESCRIPTION
A STRIP OF LAND FOR ROAD PURPOSES LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 6 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 29 E.W.M., BEING 66 FEET IN WIDTH AND LYING 33 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A BRASS-CAPPED MONUMENT MARKING THE 1/4 CORNER COMMON TO SECTIONS 5 AND 6, TOWNSHIP 4 NORTH, RANGE 29 E.W.M.; THENCE S 0° 14' 31" W, 1324.39 FEET TO THE SOUTH 1/6 CORNER COMMON TO SAID SECTIONS 5 AND 6 AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S 0° 14' 31" W, 371.97 FEET; THENCE 116.88 FEET ALONG A 209.96-FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS S 15° 42' 22" E, 115.38 FEET); THENCE S 31° 39' 16" E, 254.42 FEET; THENCE 75.03 FEET ALONG AN 87.39-FOOT RADIUS CURVE RIGHT (THE LONG CHORD BEARS S 07° 03' 37" E, 72.74 FEET); THENCE S 17° 32' 02" W, 489.99 FEET; THENCE 198.47 FEET ALONG A 655.76-FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS S 08° 51' 48" W, 197.71 FEET) TO A 1/8-IRON PIN THAT BEARS S 00° 11' 34" W, 110.00 FEET FROM A BRASS-CAPPED MONUMENT MARKING THE SECTION CORNER COMMON TO SECTIONS 5, 6, 7, AND 8, T. 4 N., R. 29 E.W.M. AND THERE TERMINATING.

CANAL ROAD NARRATIVE OF SURVEY
THE PURPOSE OF THIS SURVEY WAS TO MONUMENT A SECTION OF COUNTY ROAD #1203 (CANAL ROAD) FOR LEGALIZATION PURPOSES AFTER IT BECAME APPARENT THAT A PORTION OF THE ROAD WHERE IT CROSSES THE A-LINE CANAL DIFFERS FROM ITS DESCRIBED LOCATION BY APPROXIMATELY 200 FEET.
HADDOCK ESTABLISHED THE ALIGNMENT OF THE A-LINE CANAL AND SIDE FLUME RIGHT-OF-WAY FROM A 1919 BUREAU OF RECLAMATION SURVEY IN A SURVEY HE DID FOR BALDWIN, C.S. #89-25-B. THE SAME CANAL ALIGNMENT WAS USED ON THIS SURVEY, WITH DISTANCES FROM THE SOUTHEAST CORNER OF SECTION 6 HELD THE SAME AND THE BEARINGS ROTATED TO MY BEARING BASE.
BECAUSE UMATILLA COUNTY HAS RECEIVED FUNDING FOR REPLACEMENT OF THE BRIDGE, AND IT IS ANTICIPATED THAT ADDITIONAL RIGHT-OF-WAY WILL BE NEEDED TO THE EAST OF THE BRIDGE, THE RIGHT-OF-WAY WAS MONUMENTED IN A LOCATION THAT CAUSED AS LITTLE CHANGE AS POSSIBLE TO EXISTING PROPERTY LINES, WHILE STILL CONTAINING THE EXISTING ROAD.
THE MONUMENTS HADDOCK USED TO ESTABLISH THE SECTION LINE BETWEEN SECTIONS 5 AND 6 IN HIS 1989 SURVEY WERE REPLACED WITH BRASS CAPS BY EDWARDS IN 1995 IN HIS UMATILLA COUNTY PUBLIC MONUMENTATION SURVEY, C.S. #95-59-B, WHICH WAS USED AS THE BEARING BASE FOR THIS SURVEY.
INSTRUMENTS USED WERE A WILD T-16 ONE MINUTE THEODOLITE AND A WILD D1-5 EDM. ROAD ALIGNMENT AND MONUMENT LOCATION ARE BASED ON TIES TO A CLOSED TRAVEL THAT WAS RUN BETWEEN THE BRASS CAPS SET AT THE WEST 1/4 CORNER AND THE SOUTHWEST 1/4 OF SECTION 5 AND ADJUSTED BY THE COMPASS RULE.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 28, 1993
GARY R. ROBERTS
2627
RENEWS 12-31-98

UMATILLA COUNTY ROAD DEPT
3920 Westgate
Pendleton, Oregon 97801

Survey for:
Legalization of County Road #1203 Canal Road

Located:
Sections 5, 6, 7, and 8, Township 4 North,
Range 29 East of the Willamette Meridian

Survey By: Gary Roberts	Drawn By: Jeanne Garham	Checked By: Gary Roberts
Scale: 1" = 50'	Date: February, 1997	Sheet: 1 of 1