

¼ S14/S13

This corner has been under scrutiny and contention for several years, since Robert D. Bagett used it to establish the E-W centerline of this section 14 an adjacent Land Owner protested the location of this corner, contending that it did not conform to calls to the Dalles Military Road. Since there is an old road approximately 80 feet north of a Brass cap monument, set by Glaze, in 1914 and Byars called the "*Dalles and Canyon Road*," 3.0 chains south of the corner, that this corner was misplaced to the south by approximately 280 feet. The adjacent land owner also contends that in order to construct a serviceable road it would have been constructed up out of the John Day River bottom land. The road which the subject land owner contends is the Dalles Military Road, is out of the river bottom and above the river approximately 80 – 100 feet in elevation in rolling foothill scab- land, or typical 2nd rate land as described by original GLO surveyors.

Subsequently that land owner filed a formal complaint against Mr. Bagett with the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS).

Mr. Bagett responded to the complaint, in a letter to OSBEELS dated August 16, 2002, with an evaluation and defense of his use of this corner. This letter is referenced here and should be used in examining evidence as to the authenticity of this corner.

The land owner also consulted with the Bureau of Land Management (BLM), and received a reply from Mary J.M. Hartel, Chief, Branch of Geographic Sciences, in a letter dated October 17, 2003. This letter from Mary Hartel of the BLM should also be reviewed in any evaluation of this corner.

Based on the letters from Mr. Bagett and the BLM, the complaint from the subject land owner was then closed by OSBEELS.

The report concerning the location of this ¼ S14/S13 begins with a review of the original survey of this line by Byars, in 1873. His notes State:

North On line bet. Secs. 13 & 14

3.50	Enter cultivated field – fence E & W	(231 ft.)
20.00	" brush and balm timber c. E & W	(1320 ft.)
34.00	John Day River 200 lks. Wide, c. W.	(2244 ft. S. & 2376 ft. N.)
36.50	Leave field fence c. E & W	(2409 ft.)
37.00	Dalles and Canyon City Road – c. E.W., Ascend	(2442 ft.)
40.00	Set Basalt Stone 20x10x6 for the ¼ Sec. Cor.	(2640)
80.00	" Volcanic " 16x14x6 " " cor. to secs. 11, 12, 13, & 14	(5280)

*Land rolling 2nd rate North of the road; level 1st rate South of same.
Timber, Cottonwood along river, Brush principally willow and thorn.
No brush or timber North of river on line.*

Measurements made for this survey along this line are as follows:

From Cor. S13, S14, S23, & S24. as re-established by Glaze, See above.

N 0°01'26"E., On line between Secs. 13 & 14

240 feet, Base of hill, enter bottom land.
1320 feet, no remains of this call are present at this time.
2473 feet, South edge of John Day River
2490 feet, Projection of location of an old road which has been tied for alignment for several hundred feet east and west of line. The projection follows the road grade into the river where it has been washed away then back to the existing old road grade. (see plot on accompanying Record Survey)
2530 feet, North edge of John Day River, Steep Ascend
2560 feet, Top of Steep Ascent
2693.69, Found Brass cap monument as set by Glaze in 1914, in an old N & E fence corner, which lines with the fence line to the south of the River. The brass cap is set and supporting a fence rock jack to the fences running North & East. Approximately 13 feet SW, and down a steep slope