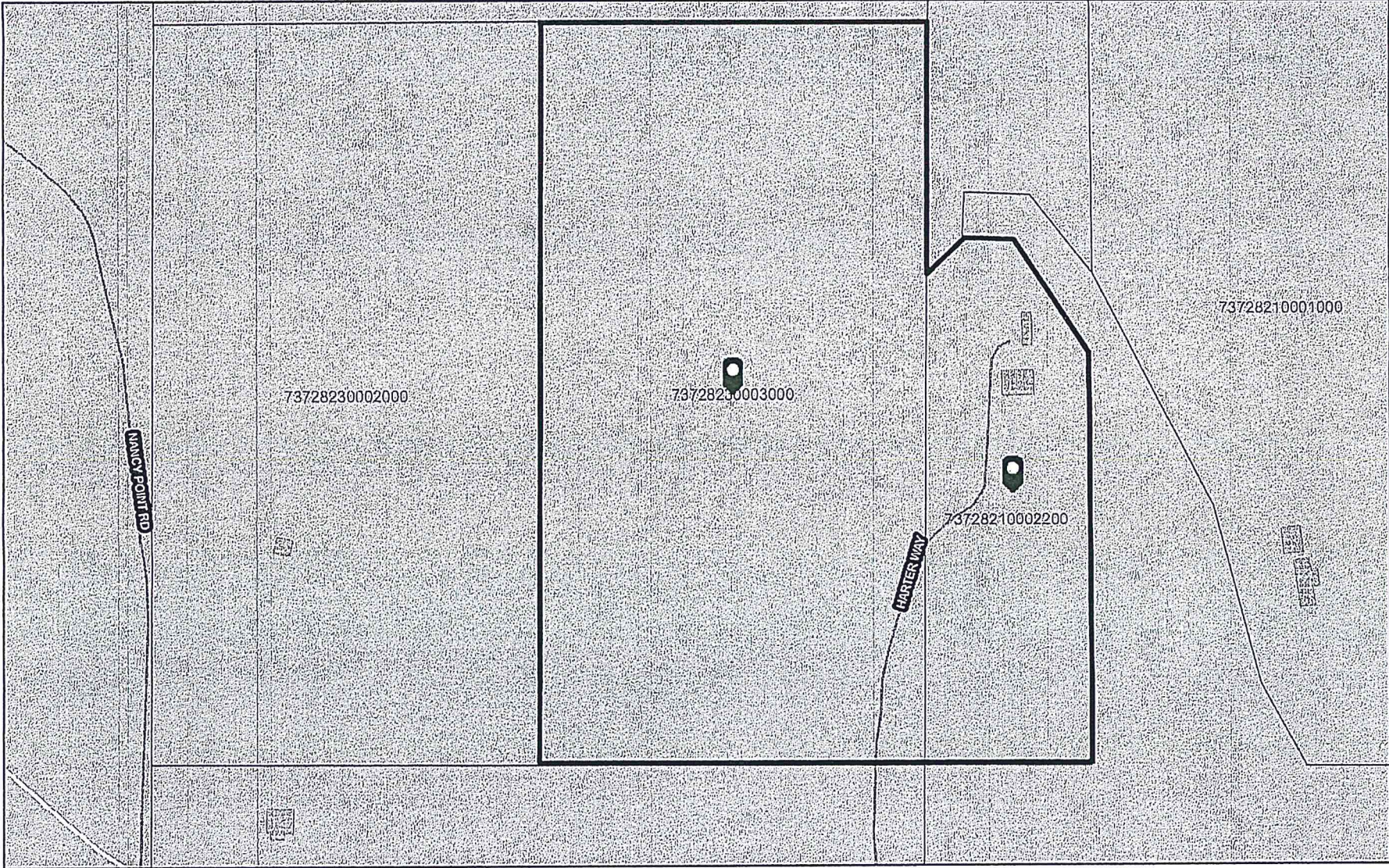
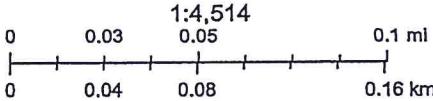


# Custom Print from FC Interactive Map



2/12/2025, 11:19:59 AM

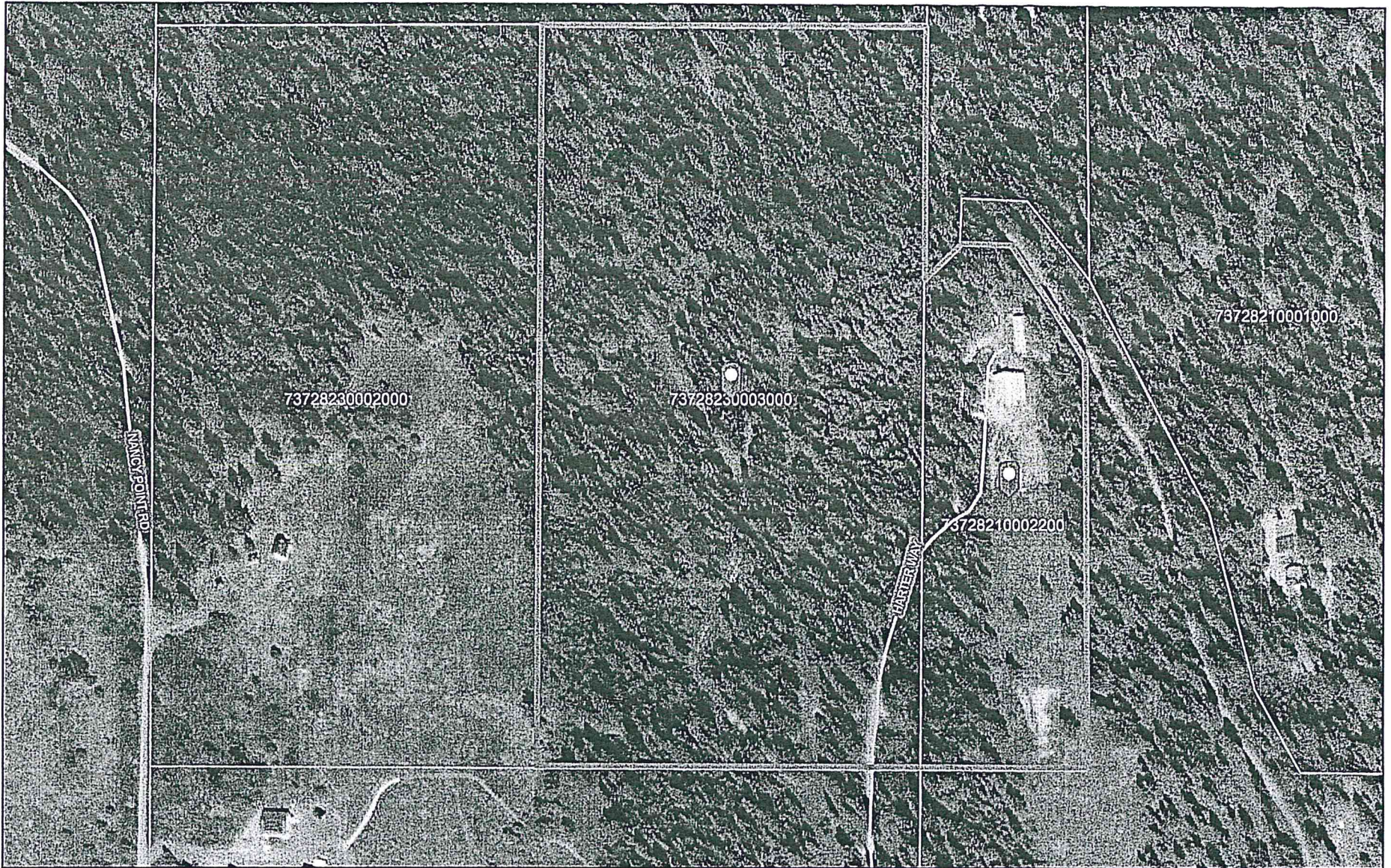
- Override 1 Roads
- Private
- ▭ Assessor Parcels
- ▭ County Boundary



Esri Community Maps Contributors, WA State Parks GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/

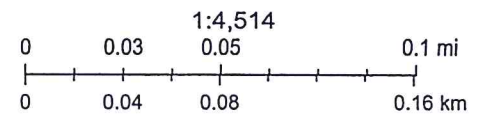
Public user  
Data provided by Ferry County E911 Mapping

# Custom Print from FC Interactive Map



2/12/2025, 11:18:01 AM

-  Override 1 Roads
-  Private
-  Assessor Parcels
-  County Boundary



Maxar

# RECORD OF SURVEY

OF PORTIONS OF GOVERNMENT LOTS 3, 4, AND 10, SECTION 28, TOWNSHIP 37 NORTH, RANGE 37 EAST, WILLAMETTE MERIDIAN, LOCATED IN FERRY COUNTY, WASHINGTON.

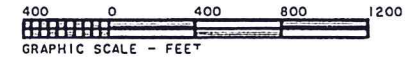
### BASIS OF BEARING:

NORTH AS MEASURED ALONG THE EAST LINE OF THE WEST 330 FEET OF SAID GOVERNMENT LOT 4. DISTANCES SHOWN ARE BASED ON OR D. M.D.-27, AS PER B.O.R. RECORDS.

### SURVEYOR'S NOTES.

THIS SURVEY WAS PERFORMED WITH A PENTAX TOTAL STATION USING FIELD TRAVERSE TECHNIQUES WITH FORCED CENTERING. CLOSURE WAS WITHIN LEGAL LIMITS.

G.L.O. CORNER INFORMATION AS PER B.O.R. RECORDS.



SCALE: 1 INCH = 400 FEET.

### AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 27<sup>th</sup> DAY OF July 1999.  
 AT 9:45 A.M., IN BOOK 3 OF SURVEYS AT PAGE 286,  
 AT THE REQUEST OF JOHN M. SHACKELFORD  
 DOCUMENT NO. 244737 SS Clyde V. Bolinger COUNTY AUDITOR  
 FEE \_\_\_\_\_  
 D.N.R. \_\_\_\_\_ BY \_\_\_\_\_  
 C.S. \_\_\_\_\_ DEPUTY  
 S.A.F. \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF DONALD F. LINDBERG IN JULY, 1999.

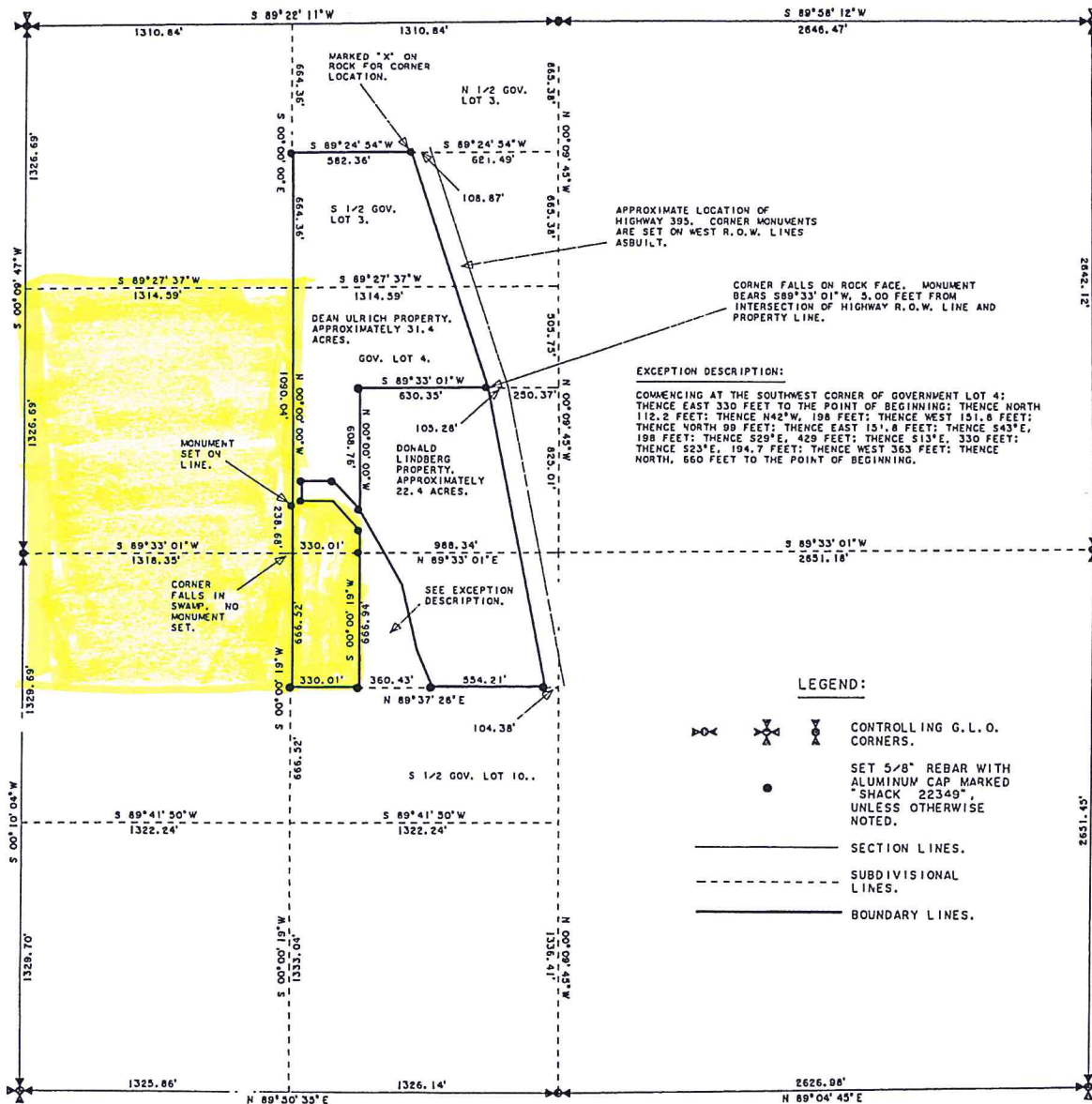
*John M. Shackelford* 7/27/99  
 JOHN M. SHACKELFORD P.L.S. DATE  
 1992 A HIGHWAY 25 NORTH  
 KETTLE FALLS WASHINGTON, 99141  
 (509) 684-5744



1/4	S	T	R
<input checked="" type="checkbox"/>	28	37	37

### KETTLE COUNTRY LAND SURVEYING

CLIENT DONALD F. LINDBERG.  
 SECTION 28 TOWNSHIP 37 NORTH, RANGE 37 EAST, W.M.  
 FIELD CREW SHACKELFORD, NOYES  
 WORK ORDER 99-29





# RECORD OF SURVEY

**Within Government Lots 4, 9 and 10;  
SW1/4 SE1/4 and SE1/4 SW1/4, Section 28,  
T.37 N., R.37 E., W.M., FERRY COUNTY, WASHINGTON**  
Sheet 2 of 2

## REFERENCES

- 1—U.S. General Land Office (GLO): Original subdivision of T.37 N., R.37 E. by Lewis D. W. Shelton, surveyed from June 9th, to Nov 2nd, 1893.
- 2—RECORD OF SURVEY (ROS): U.S. Dept. of Interior, Columbia Basin Project, Lake Roosevelt, survey of the U.S. Government Boundary—Right Bank, per U.S. Bureau of Reclamation, 1937. See Survey Sheet No. 1719 and 1721-A, 11-12-37 and revised 9-21-38. See also "Preliminary" survey dated November 30, 1981, sheet 95 of 237, Grand Coulee Project Office.
- 3—State Highway No. 3, Right of Way Plans: Nancy Creek To Deadman Creek, approved February 13, 1940 by Lacey V. Murrow P.E., Director of Highways.
- 4—UNRECORDED SURVEYS: Koschutetzke Tract and Koschutetzke Addition: Surveyed by Elmer Fine, unlicensed land surveyor, in November, 1973 and in May, 1982 respectively.
- 5—ROS: Surveyed by John M. Shackelford P.L.S. #22349, filed July 27th, 1999, on Page 286 of Book 3 of Surveys, under Ferry County Auditors File #244737.
- 6—CRANE SHORT PLAT: Surveyed by Grant D. Tolton P.L.S. #20865, filed July 28th, 1999, on Page 181 of Book 1 of Short Plats, under Ferry County Auditors File #244756.

## CORNER NOTES

- 1—Corner for Sections 20, 21, 28, and 29: Found granite stone 8 ins. x 6 ins. firmly set, projecting 6 ins. above ground with 4 notches on the east, and 2 notches on the south edges with a cross on top, believed to have been re-monumented in 1936 by Bureau of Reclamation in place of the original fir post per Ref. 1. Also found stump remains of four original bearing trees (BTs) per Ref. 1.  
Set three new BTs:  
A fir 10" diam., bears N 1° E, 37.6 ft. distant marked T37NR37ES21BT.  
A fir 8" diam., bears S 76° E, 24.0 ft. distant marked T37NR37ES28BT.  
A fir 6" diam., bears S 72° W, 41.1 ft. distant marked T37NR37ES29BT.  
An east, west fence line bears North, 2.0 ft. distant.
- 2—Quarter Corner for Sections 28 and 29: Found granite stone 14 ins. x 8 ins. x 6 ins., buried 3" below grade with "X" marked on the W. face with a cross on top believed to have been re-monumented in 1936 by Bureau of Reclamation in place of the original tamarack post per Ref. 1. No remains of either original BTs per Ref. 1.  
Set two new BTs:  
A fir 10" diam., bears S 34° E, 39.3 ft. distant marked 1/4S28BT.  
A fir 6" diam., bears S 71° W, 12.1 ft. distant marked 1/4S29BT.
- 3—Corner for Sections 28, 29, 32, and 33: Found original quartzite stone 32 ins. x 4 ins. x 2 ins. firmly set, projecting 12 ins. above ground with 4 notches on the east, and 1 notch on the south edges in a mound of stone. Found no remains of original BTs per Ref. 1. No trees within limits. Set two new bearing objects:  
An "XBO" scribed on top front of flat slab of rock outcrop 4' x 2' bears S 78° W, 6.3 ft. distant.  
An "XBO" scribed on top front of flat slab of rock outcrop 4' x 2' bears N 36° W, 21.5 ft. distant.
- 4—Quarter Corner for Sections 28 and 33: Found a galvanized pipe 2 1/2" diam., filled with concrete and a surveyors tack on top projecting 3 ins. above ground in a 1 ft. diam. round concrete pad. No evidence of original pipe post or original BTs per Ref. 1 was found.
- 5—Center-North-South-South 1/256th Corner for Section 28: Set a 5/8" x 24" rebar with a 2" aluminum cap marked #20865 from which added a BT tag to an east, west and south fence corner which bears S 35° E, 0.9 ft. distant.
- 6—Center-North-South-Southwest 1/256th Corner for Section 28: Set a 5/8" x 24" rebar with a 2" aluminum cap marked #20865 from which added a BT tag to a power pole which bears N 34° W, 48.1 ft. distant.  
A north and east fence corner bears East, 8.6 ft. distant.

## NARRATIVE

This survey was performed at the request of Ronald and Jeanne Palmer to ascertain the boundary lines of their property in Government Lots 4, 9 and 10 and the Southeast quarter of the Southwest of fractional Section 28, T.37N., R.37E., W.M., in Ferry County, Washington.

To determine the correct portions within the southwest quarter of fractional Section 28, the south and west lines were retraced and evidence of the original corners were recovered. (See corner notes.) This survey, as did the 1999 survey performed by John M. Shackelford, per Slatutory Warranty Deed (Ref. 5), relies upon the original subdivision of fractional Section 28 as performed in 1937 by the U.S. Bureau of Reclamation before the inundation by the waters of the Columbia River Reservoir obliterating controlling corners. (See Reference 2.) The calculated position for the center quarter corner was determined by proportionate measurement along the north-south center line of Section 28, which conformed very closely with the 1937 survey. Minor variations between the retraced courses and distances of south and west lines of Section 28 and those of the 1937 survey are noted upon this plat. Thus, the location of the Government Lot 10, and specifically the south line of the north half of Government Lot 10, as surveyed by Shackelford, was confirmed and accepted.

Adjoining adjacent portions of Palmer's land is a 4.71 acre appendage upon which lies an existing well and pipeline that provides the domestic water supply for the Palmer residence. This land was originally granted as an easement by J. Clifford Carson, to Percy Koschutetzke, Jeanne Palmer's father. (See easement recorded June 17th, 1974 under Ferry County Auditors No. (AF#) 165840.)

In 1982, the tract, which was then referred to as the Koschutetzke Addition, was physically located upon the ground and personally monumented with permanent steel angle-iron markers at the corners, by the grantor (Carson), the grantee (Koschutetzke), and the grantee's brother-in-law Elmer Fine, an unlicensed land surveyor. Carson then conveyed the tract in fee to Koschutetzke, per Slatutory Warranty Deed filed June 14, 1982 under AF #191500. A fence was erected to enclose the actual well site, further perpetuating the location of the corner monuments that had been set. Title to the Koschutetzke Addition and the original Koschutetzke Tract, was eventually passed on to Ronald and Jeanne Palmer.

In 1999, John Shackelford (See ROS per Ref. 5), while executing a boundary line survey for land adjoining the Palmers', set corner monuments of the Koschutetzke Addition at positions based upon the language contained in the deed description. These corners fell approximately 20 feet southeasterly of the existing corner monuments that had been set by the original grantor and grantee. Although he could hardly have missed their existence, Shackelford made no mention of the existing corner monuments and fence lines on his survey.

It became apparent that the root of the discrepancy was the commencing point cited in the original deed description of the Koschutetzke Addition, which was the northwest corner of Government Lot 10 and from which the deed description originated. Not having executed a proper subdivision of the section, the true location of this corner was not properly ascertained by the concerned parties, hence the location of property corners dependent on that location were likewise in variance. However, in my opinion, since the intent of the original parties were obviously indicated by the location of the original corner monuments, they cannot be completely ignored.

In interpreting an ambiguous legal description, a surveyor must consider the intent of the original grantor and grantee. For example, Shackelford correctly made two assumptions in that regard. One being that the original grantor intended to retain the west 5/8 chains (330 feet) of the north half of Government Lot 10 and the other being that the Koschutetzke Addition should adjoin the south half of Government Lot 10, land belonging to the Koschutetzkes. Strict adherence to the language of the description would have not satisfied the latter assumption and reliance upon the location of the original survey and the existing north-south fence line would have denied the former. However, the intended location of that portion of the Koschutetzke Addition surrounding the actual well site, which had been laid out by the original grantor and grantee, monumented and witness by an existing fence line, could not be more apparent. I, therefore, have attempted to bring resolution to conflicting elements by bringing into harmony, to the best of my ability, the prior survey by Shackelford and the prior survey by the original grantor and grantee which makes obvious their intent.

This survey was accomplished using static GPS integrated with the random traverse method using a Leica TCR 703 Auto total station as the primary field instrument. All angles were balanced and adjusted using the Gauss's Rule method of traverse adjustment. True meridian was established by GPS and confirmed by solar observations. (See Basis of Bearing.)

The field crew consisted of Elmer Fox, party chief, Craig Ramsey and Brandon McCune, field assistants. Computing, field crew supervision and the final plat executed by Grant D. Tolton, P.L.S.

## DESCRIPTIONS


**KOSCHUTZKE TRACT: 32.11 acres**

The North half of the North half of the Southeast quarter of the Southwest quarter (N1/2 N1/2 SE1/4 SW1/4);  
The South half of Government Lot 10, LESS the right of way for Primary State Highway No. 3 (SR-35);  
That portion of Government Lot 9 lying south and west of the west right of way line of Primary State Highway No. 3 as located January 9, 1966;  
A parcel of land in the Southwest quarter of the Southeast quarter (SW1/4 SE1/4) described as follows:  
Beginning at the southwest corner of the SW1/4 SE1/4, thence North along the west boundary of said SW1/4 SE1/4 for a distance of 1002.00 feet to the true point of beginning, thence N.89°02'00"E, 223.06 feet to the west boundary of the primary State Highway No. 3 right of way as located January 9, 1966, thence in a northwesterly direction along said right of way to the north boundary of the SW1/4 SE1/4, thence West along said north boundary to the northwest corner of said SW1/4 SE1/4; thence South along the west boundary of said SW1/4 SE1/4 to the point of beginning.

**KOSCHUTZKE ADDITION: 4.31 acres**

A tract of land lying and being in Government Lots 4 and 10, Section 28, Township 37 North, Range 37 East, W.M., Ferry County, Washington and more particularly described as follows:  
Commencing at the northwest corner of said Government Lot 10, which is also common to the southwest corner of Lot 4; thence East 5.00 chains to the true point of beginning; thence North 1.70 chains; thence North 42° West 3.00 chains; thence West, 2.30 chains; thence North 1.50 chains; thence East, 2.30 chains; thence South 43° East, 3.00 chains; thence South 28° East, 6.50 chains; thence South 13° East, 5.00 chains; thence South 23° East, 2.95 chains; thence West, 5.50 chains; thence North 10.00 chains to the point of beginning.





**MID-MOUNTAIN SURVEYORS**

Grant D. Tolton  
Professional Land Surveyor  
# 257458 B.A.H. 144

4144 Newton Lane  
Republic, WA 99166  
(509) 725-1563  
midmountain2@aol.com

FILE NAME: D:\A\DBS 2003\PALMER, DRAWING\PALMER SH2.DWG	
DRAWN BY: G.D.T.	DATE: 10-22-03
CHECKED BY: G.D.T.	JOB NO.:# 03-039
SCALE: N/A	SHEET 2 OF 2