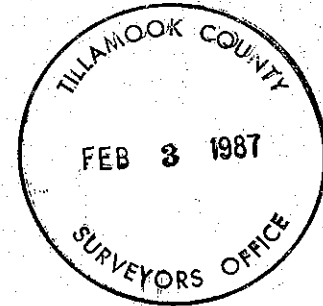


LESTER E. FULTZ, P.E., P.L.S.

P.O. Box 818  
Neskowin, Oregon 97149  
503 392-3072



SEE CS MAP #B-1241

1 February 1987

Innotek, International  
2512 2nd Avenue  
Seattle, WA. 98121

Re: Survey of U.S. Government Lot 21, Section 13, Township 5 South,  
Range 11 West of the Willamette Meridian, Tillamook County, OR.

Attention: Don F. Haldeman

Dear Mr. Haldeman:

Reference is made to the survey performed by Engineering Associates, Inc. of the subject tract of land for David M. Haldeman in September 1972 evidenced by that firm's Drawing No. C-72029 under Job No. 7-2295 and also a re-survey of the same tract of land for you in January 1986 evidenced by Drawing No. C-72029 under Job No. 7-2295(A).

The deed for the tract of land was conveyed to Annie M. Haldeman and Fred O. Haldeman by Bargain and Sale Deed recorded April 17, 1951 in Book 127, Pages 438 & 439. A copy of this deed is inclosed for your information and file. An inspection of the deed shows the legal description to be the same as given in the subject of this letter.

A new drawing for the subject property is inclosed herewith which completely supercedes the previous surveys. The previous surveys are in error because they did not accurately depict the land deeded to the persons I presume to be your mother and father.

The inclosed map of the property has been given Drawing No. C-8703 under Job No. 87010. Inspection of the drawing shows U.S. Government Lot 21 as it is shown on the Official Plat of Section 13, a fractional section in Township 5 South, Range 11 West of the Willamette Meridian as submitted by J.W. Meldrum in 1872 to the General Land Office as part of his contract to complete Interior Subdivisions and Meanders of Fractional Section 13 along with other sections in the same township and range.

A comparison of the drawing numbers noted in Paragraph 1 above and Drawing No. C-8703 reveals that there is no mention of the meander lines on the earlier drawings. This omission is the reason for saying they are in error. I discovered the omission and the error in the survey of U.S. Government Lot 21 in a review of the survey plus learning of the importance of meander lines in the effect upon the title of land conveyed from the United States Government to private parties. Although a meander line is not considered a legal boundary line as a general rule, this principle does not apply to property

X.

Pg. 6-A

Page 2- Fultz to Haldeman:

bordering bodies of water such as rivers, lakes and oceans. In these cases, the meander line has been held in previous court cases to be the legal boundary.

In the present instance the field notes of J.W. Meldrum specifically read, "North on a true line between Lots 20 & 21, 10.00 chains, The Pacific Ocean". The starting point of the above line was the lot corner common to U.S. Government Lots 20, 21, 28 & 29. A chain length is 66.0 feet so that 10 chains becomes 660.0 feet which is the distance shown on Drawing No. C-8703. The notation, "The Pacific Ocean" is very important since J.W. Meldrum apparently found the fractional corner of Lots 20 & 21 to be at the edge of the Pacific Ocean in 1972.

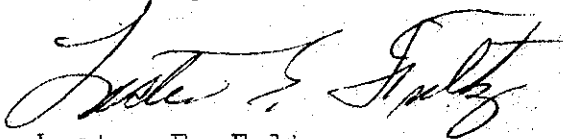
The above explanation has a similar effect upon the land to the north of the fractional corner of Lots 20 & 21 because the meander line runs at an angle of South 16°30' West (North 16°30' East) along the westerly portion of U.S. Government Lot 20. This means that in 1872 the northwesterly portion of U.S. Government Lot 20 also fronted on the Pacific Ocean.

I am much chagrined by this turn of events. I hope that my explanation of the previous error is complete enough to eliminate any question that you may have. I will cooperate in answering further questions to the extent of my ability.

I hope that you can appreciate my position in this matter. Since I am a licensed professional land surveyor who has performed a survey at your request, any error that may show up in my work must be answered by myself which in some instances can be very costly if other persons are materially damaged.

The points shown on Drawing No. C-8703 were set in place on Thursday, January 29, 1987.

Sincerely,



Lester E. Fultz

Incl: Drawing No. C-8703  
Copy of Bargain and Sale Deed  
Copies of Portion of J.W. Meldrum's Field Notes & Plat

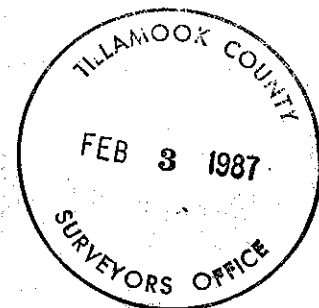
cc: Oregon Board of Engineering Examiners  
Tillamook County Surveyor  
File

DRAWING NO. C-8703

IS FILED AS CS# B-1241

AGD, C.S. FEB 3, 1987

Pg. 6 - B



SEE CS MAP# B-1241

BOOK 127 PAGE 438

117877

KNOW ALL MEN BY THESE PRESENTS, That I, EDITH BOWE WEEKS, a single woman and the widow of Frank O. Weeks, who died intestate at Portland, Oregon, on the 1st day of January, 1950,

in consideration of -- Ten and no/100----- Dollars,

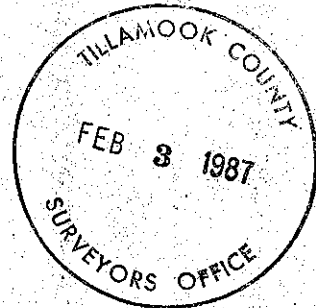
to me paid by ANNIE M. HALDEMAN, the only child of said Frank O. Weeks, and FRED O. HALDEMAN, her husband,

do hereby grant, bargain, sell and convey unto said Annie M. Haldeman and Fred O. Haldeman,

their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the

County of Tillamook and State of Oregon, bounded and described as follows, to-wit:

Lot Twenty-one (21) in and of Section Thirteen (13) in and of Township Five (5) South of Range Eleven (11) West of the Willamette Meridian;



SEE CS MAP# B-1241

TO HAVE AND TO HOLD, the above described and granted premises unto the said Annie M. Haldeman and Fred O. Haldeman, as tenants by the entirety,

their heirs and assigns forever.

IN WITNESS WHEREOF, I the grantor above named hereunto set my hand and seal this 9th day of April, 1951.

Edith Bowe Weeks (SEAL)

(SEAL)

(SEAL)

(SEAL)

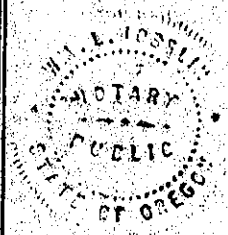
STATE OF OREGON,  
County of Multnomah,

BE IT REMEMBERED, That on the 9th day of April, 1951, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Edith Bowe Weeks, a single woman and the widow of Frank O. Weeks, who died intestate at Portland, Oregon, on the 1st day of January, 1950, who is known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that she executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

*Wm Josselin*  
Notary Public for Oregon

My Commission Expires February 4, 1955.



PHOTOCOPIED  
INDEXED

**DEED**  
Bargain and Sale  
(Form No. 31)

EDITH BOWE WEEKS,

to

*et al*  
ANNIE M. HALDEMAN and

FRED O. HALDEMAN,

STATE OF *Oregon*  
County of *Tillamook*

I certify that the within instrument was received for record on the 17th day of April, 1951, at 1:30 o'clock P. M., and recorded in book 127 on page 439. Record of Deeds of said County.

Witness my hand and seal of County affixed.

ESTHER LOCKE

County Clerk - Treasurer  
*Br. C. ...*  
Deputy

OFFICIAL BOOKS LAW PUB. CO., PORTLAND

Please record and mail to  
Mrs. F. O. Haldeman,  
4203 North Castle,  
Portland 11, Oregon.

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