



**SURVEY REPORT**  
**OF THE**  
**RETRACEMENT SURVEY**

*of*

*Lots 26 - 39, Block 33*  
*and*  
*Lots 24 - 26, 31, Block 34*

*Official Map of the Town of Ploche*  
*Dated January 5, 1874*

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**EXECUTED BY**

**James J. Owens, State of Nevada PLS No. 2884**

Survey commenced June 6, 2000  
Survey completed June 14, 2000

*Survey performed pursuant to NRS 625.340*



**FINDINGS OF FACT**

**1874 OFFICIAL MAP OF PIOCHE  
BLOCK 33**

The Official Map of Pioche shown only distances that front on McCannon St., with no distances noted for the sides and back of any lot. There is a deed from A. Rowe to Robert Frazier recorded in the records of the Lincoln County Recorder in Book N, Pages 599-600, dated 06/20/1876 that describes Lot 29 to be 24 ft. wide and 75 ft. deep, thus the Official Map shows the front and back lot lines to be parallel, 25 ft wide from Lot 26 thru 37, except Lot 35, being 26.6 ft wide, and using the lot depth to be 75 ft. from the deed, establishing the size of the lots.

All of the existing fence lines of occupation were surveyed throughout the block from Lot 1 thru Lot 41, with the distance of each lot being prorated between each fence line, establishing the occupied width of each lot.

Beginning at the common corner of Lot 1 Block 31 and Lot 1 Block 34 fronting on McCannon St., being at the base of the concrete angle wall marks the boundary between said lots;

Thence in a northwesterly direction along the apparent right-of-way of McCannon St. in Block 34

- A dist. of 93 ft. (Plat 95 ft) to a fence along the boundary between Lots 4 & 5;
- A dist. of 53.4 ft (Plat 50 ft) to a fence along the boundary between Lots 6 & 7;
- A dist. of 115.6 ft (Plat 115 ft) to a fence along the boundary between Lots 11 & 12;
- A dist. of 167.6 ft (Plat 150 ft) to a fence along the boundary between Lots 17 & 18;
- A dist. of 388.45 ft (Plat 398 ft) to a fence along the boundary between Lots 29 & 30;
- A dist. of 50.0 ft (Plat 50 ft) to a block wall fence along the boundary between Lots 31 & 32;
- A dist. of 244.7 ft (Plat 251.6 ft) to a 2" steel pipe set in concrete that marks the corner of Lots 41 & 42.

The total distance measured along McCannon St. between the beginning corner at Lot 1 and the steel pipe at Lots 41 & 42 is 1112.85 ft, with the record distance on the plat being 1122.60 ft, the total measured dist. being short by 9.75 ft. Being that all of the lots in the plat were created at the same time, there is no Junior or Senior rights, only old and accepted fence lines that control the above boundaries by acquiescence. Consequently, the distances of the lots between these fence lines are prorated to their correct distances.

**CONFLICTS**

The major conflict lies between what lots the deeds call for and the actual land occupied. From Lots 1 thru 25 there is no conflict, however, from Lots 26 thru 41 there is a conflict as to the land that is occupied resulting from distances shown on the assessors map, adding 15 feet between lots 37 and 38, which is not shown on the Official Map, and a boundary line adjustment surveyed by Frank Hulse, PLS 6498, recorded in Book B, Page 217 of Maps, establishing a boundary between lots previously owned by Lauritzen and sold to Scheinost by parol agreement.

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(Conflicts - continued)

This survey shows that the boundary line adjustment is between Lots 32 & 33, moving an old existing fence line 3 ft southerly, and establishing the width of Lots 33 & 34 to be 50 ft northly from this adjusted boundary, with new concrete walls being erected on the surveyed lot lines. The Hulse survey refers to a map recorded by Bulloch Brothers Engineers as the authority for which this survey was established. The map by Bulloch Brothers Engineers was supposed to be the new official map for the Town of Pioche, however, no monuments were ever set by this survey, nor was the map accepted by the Lincoln County Commissioners as the official map. The Bulloch survey did not take any fence lines of occupation into consideration in establishing the street alignments and block corners, creating major errors in defining the lot lines, such as the Hulse survey depicts. This adjustment is actually between Lots 29 and 30, with the survey being of Lots 30 and 31.

Ms. Lauritzen owned Lots 30 & 31, also Lots 26 thru 29 and had every right to adjust the boundary between the lots and subsequently sell Lots 30 & 31, however, there is a conflict as to what she sold, as the Lots are described as Lots 33 & 34. Lots 30 & 31 are occupied by Edward Scheinost, not Lots 33 & 34, with Lots 32, 33 & 34 occupied by Bill Hogan.

APN 001-073-08; Lots 26 thru 29 Block 33.

No conflict, as the small frame house is located mostly on Lot 28, with various improvements throughout the lots. The original boundary between Lots 29 & 30 was marked with an old fence line, however, a boundary line adjustment occurred to move the fence southeast along McCannon St. and now a block wall marks this boundary. The boundary line adjustment is noted on the recorded map as between Lots 32 & 33, which is in error, and is in fact between Lots 29 & 30.

APN 001-073-07; Lots 30 thru 32 Block 33

Lots 30 & 31 are occupied by Scheinost, who was deeded Lots 33 & 34 by Lauritzen. Refer to previously mentioned boundary line adjustment which numbered these lots in error as Lots 33 & 34, which are actually Lots 30 & 31. Lot 32 is occupied with improvements beyond the existing block wall with retaining walls, gravel driveway and parking area that is occupied by Bill Hogan.

APN 001-073-06; Lots 33 & 34 Block 33

Lots 33 & 34 were sold to Scheinost by Lauritzen. Refer to previously mentioned boundary line adjustment which numbered these lots in error as Lots 33 & 34, which are actually Lots 30 & 31.

APN 001-073-05; Lots 35 thru 41 Block 33

The lots as shown on the assessors map are in error, as Bill Hogan occupies from the block wall between Lots 31 & 32 to the block wall near the center of Lot 39, comprising Lots 32 thru 38 and the southwesterly 15 feet of Lot 39, measuring a total distance between walls of 186.7 ft, with the plat distance being 176.6 ft and the assessors map being 191.6 ft

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NOTE: Continuing northwesterly on McCannon St. from the steel pipe at the corner of Lots 41 & 42 to the intersection with Lacour St. (State Route 321), there is no physical evidence of corners, monuments or fence lines to prove the remaining lot lines, however, there is a State Highway right-of-way monument on the south right-of-way approximately 70 feet from the centerline intersection of McCannon St. and Lacour St. (State Route 321). This right-of-way monument shows on the State Highway Maps, but never ties to any lot corner.

**BLOCK 34**

This block is a picture frame of lots only, as there are no dimensions shown on the Official Map for any lot within the block. There is an undimensioned alley, or street, between Blocks 33 and 34 showing 36 numbered lots along with a street and unnumbered lots behind Lots 1 thru 23. The Lincoln County Assessors Map shows dimensions on Lots 1 thru 36, however, upon inquiring the County Assessor, he doesn't know how or when these dimensions originated. The previously mentioned Hulse survey used the assessors map dimensions to create the width of the lots, however, the depth of the lots was shown on the Bulloch Survey to be 40 ft, therefore the Hulse survey also used this dimension for the depth of the lots. Realizing that 40 ft. is an arbitrary figure, there is no reason not to use this distance, as the land platted beyond these lots as an access alley, or street, would not seem to be in conflict with the adjacent land.

Lots 24 thru 36 appear on the Official Map to be an extension of the lot lines in Block 33, thus creating the width the same as on the lot in Block 33. With the width corresponding to the width of said lots, and being 40 ft. deep, the lots can be surveyed using the data created for Block 33, assuming the alley, or street, between Blocks 33 and 34 to be 15 ft. wide. There are no fence lines of occupation in the entire block, except that created by the Hulse survey, which now is fenced with a block wall.

APN 001-074-04; Lots 24 & 25  
No conflicts

APN 001-074-03; Lot 26  
No conflicts

APN 001-074-16; Lots 27 & 28  
Lot 28 is encroached by 5 ft with a block wall created by the Hulse survey.

APN 001-074-15; Lots 29 & 30  
Kozak is the current deed holder, however, the Hulse survey labels these lots as 32 & 33 and is bounded with a block wall occupied by Edward Scheinost.

APN 001-074-22; Lot 31  
No conflicts

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(Block 34 - Continued)

APN 001-074-19; Lots 32 & 33  
Deeded to Edward Scheinost by Lauritzen with no improvements thereon.

APN 001-074-20; Lots 34,35,36  
Deeded to Bill Hogan with no conflicts or improvements thereon.

James J. Owens      6/14/2000  
James J. Owens, PLS No. 2884      Date



NO. 114665

FILED AND RECORDED AT REQUEST OF

James J. Owens

June 15, 2000

at 24 MINUTES PAST 04 O'CLOCK

PM IN BOOK 148 OF OFFICIAL

RECORDS PAGE 484 LINCOLN

COUNTY, NEVADA.

Leslie Boucher

By Leslie Boucher, Deputy