

BUSH, ACKLEY & MILICH

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MAILING ADDRESS
POST OFFICE BOX 486

June 14, 1962

W. C. Patterson, Secretary
Odd Fellows Sierra Recreation Assn.
491 Olive Street
San Leandro, California

Dear Mr. Patterson:

This is in answer to your letter of June 6, 1962.

I have carefully gone through all of my files and records back through 1955, and from these it appears that some time early in 1955, Walter Hardgrove, Surveyor, whose address is 116 Poplar Avenue, Oakdale, California, made a survey for the Association which indicated that parts of at least five lots in Block 9 of the Subdivision encroached on adjoining property of the Girl Scouts of America. I do not have any Map or Sketch of the Survey made by Hardgrove, but same must be among the Association's records. I do not know just what Lots in Block 9 were involved in this supposed encroachment, but must assume that these included Lots 16, 17, 18, 19 and 20.

There was considerable discussion and agitation in the Association and with the lot owners involved regarding this supposed encroachment.

In December, 1956, the Tuolumne County Assessor wrote to R. C. Rhien, who was then Secretary of the Association, stating that there was no more than a negligible conflict between the original survey made by L. A. Storch in laying out the original subdivision and the survey of the Girl Scouts' property.

Enclosed is a copy of the Tuolumne County Assessor's letter of December 28, 1956, together with copy of such Assessor's letter of June 27, 1957. On the basis of the information contained in such letters, I wrote to both Mr. Rhien and to Mr. Hardgrove under date of July 9, 1957, and enclose herewith copies of such letters.

This is all the background information which I can give you regarding this matter.

I know nothing whatever about the contract of May 3, 1959, with

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Mr. and Mrs. St. Clair. If there is only a negligible conflict between the Association's line and the Girl Scouts' line, then I cannot understand why, in 1959, more than two years after the Tuolumne County Assessor confirmed that no real conflict existed, the Association would contract to include in the St. Clair property, a portion of Lot 19.


Unless there was real conflict between the surveys, the St. Clairs would get good title to all of Lot 20.

If, on the basis of this information, the St. Clairs will not conclude the matter by accepting a deed to Lot 20, then since their contract does call for a portion of Lot 19, I suppose it will be necessary for the Association to deed a portion of such Lot to them.

However, since the contract does not state what portion of Lot 19 is included, it would be necessary for the Association and the St. Clairs to agree on the portion to be included. I suppose that this would be the agreed number of feet of the most north-westerly portion of such Lot 19.

I certainly agree with you that this is a sticky situation; and am sorry that my own records show nothing more than what is above contained.

Yours very truly,


George H. Ackley
FOR BUSH, ACKLEY & MILICH

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Encs.