

LAND PARTITION PLAT NO.91-5

Situated in the SW1/4 Section 23

Twp.13 S., Rng.31 E., W.M.

City of John Day

GRANT COUNTY, OREGON

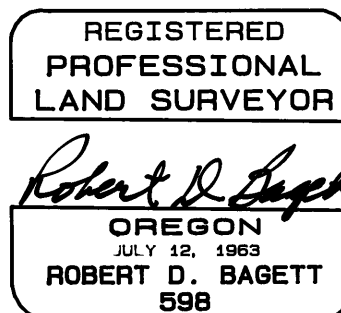
SURVEYOR'S CERTIFICATE

STATE OF OREGON ss
COUNTY OF GRANT

I, Robert D. Bagett, Professional Land Surveyor, registered in the State of Oregon, hereby certify that I have correctly surveyed and marked with proper monuments, the land represented as shown on this partition plat, said partition being situated in the NE1/4NW1/4SW1/4 and the NE1/4SW1/4 of Section 23, Twp.13S., R.31E., W.M., City of John Day, Grant County, Oregon, described as follows:

Beginning at the a 2"x36" galvanized iron pipe, which monument I designate to be the Initial Point for this Land Partition, said point being N89°46'26"E., 1219.89 feet from the West 1/4 Corner of said Section 23, thence S.00°32'10"W., 132.20 feet to the northerly right of way line of NW Bridge Street; thence southeasterly along said right of way line as follows: S.72°39'22"E., 9.33 feet; 60.48 feet along the arc of a 165.00 foot radius curve right, the long chord of which bears S.62°09'19"E., 60.14 feet; thence leaving said right of way line, N.58°00'00"E., 44.62 feet to a point on the east line of the NE1/4NW1/4SW1/4, of said section 23; thence S.00°32'10"W., along the east line of said NE1/4NW1/4SW1/4, a distance of 134.17 feet; thence S.74°30'00"W., 115.00 feet; thence S.8°45'00"E., 100.00 feet; thence N.77°30'00"E., 95.09 feet to the westerly right of way line of said NW Bridge Street; thence S.9°52'23"E., along said right of way line, 463.54 feet, to the north right of way line of NW Seventh Avenue; thence S.89°43'44"W., along said right of way line, 81.99 feet, to the west line of the NE1/4SW1/4 of said section 23; thence N.00°32'10"E., along the west line of said NE1/4SW1/4, a distance of 181.79 feet to the SE corner of the NE1/4NW1/4SW1/4 of said section 23; thence S.89°41'00"W., along the south line of said NE1/4NW1/4SW1/4, a distance of 658.04 feet to the southwest corner of said NE1/4NW1/4SW1/4; thence N.00°22'08"E., along the west line of said NE1/4NW1/4SW1/4, a distance of 659.30 feet, to the northwest corner of said NE1/4NW1/4SW1/4; thence N.89°46'26"E., along the north line of said NE1/4NW1/4SW1/4, a distance of 559.94 feet to the point of beginning.

SUBJECT TO: The right of way of NW Bridge Street. Containing 8.99 acres, more or less.



BAGETT-GRIFFITH AND ASSOCIATES
217 N. Canyon Blvd.
John Day, Oregon

APPROVALS

Approved this 25TH day of NOVEMBER, 1991.

Jack W. Burris
Wallowa County Surveyor

Approved this 13th day of December, 1991

Willard S.
City of John Day Planning Commission

I do hereby certify that this plat was received on the 26th day of December, 1991 at 11:04 o'clock A.M. and recorded as Partition Plat No. 91-5 Grant County Records.

Carol S. Galt
Grant County Clerk

Affidavit of consent to declaration of property being partitioned recorded in Instrument No. 912/76 Deed records.

DECLARATION

Know all men by these presents that we, Tom M. Kerns and Joyce A. Kerns, husband and wife depose and say that we are the owners of the lands described in the Surveyor's Certificate, and that we caused the same to be partitioned into parcels in accordance with the provisions of ORS 92 as shown on the annexed map. SAID PARCELS SUBJECT TO THE FOLLOWING: RESERVATIONS AND EASEMENTS: (1) Right of way easement for utilities and incidental purposes, no specified width, to West Coast Power Co. recorded in Book 43, page 215 deed records. (2) Right of way easement for utilities and incidental purposes, 10 feet width, for water line easement and 10 feet in width for Sewer line easement to the City of John Day, recorded in Book 85, page 193 deed records. (3) Access easement 16 feet in width to Errol O. Wilde, recorded in Book 107, page 709, deed records. (4) Right of way easement for utilities and incidental purposes, 20 feet in width for sewer line easement, to City of John Day, recorded in Book 107, page 971, deed records. (5) Easements for utilities, over, under and across the premises included within the boundaries of NW Bridge Street, vacated by Ordinance No.82-32-4 of the City of John Day, recorded in Book 127, page 586, deed records, if any such exist. (6) Easement to accommodate garage eaves which encroach onto subject property from adjoining property, to Richard P. Davis and Agnes V. Davis, Husband and wife, recorded in Book 127, page 585, deed records. (7) Any and all matters, including easements and assessments, if any, pertaining to the Trowbridge Irrigation Ditch. (8) An easement and right of way for access and utilities of variable width to the City of John Day, recorded in Instrument No. 912118 deed records. (9) The right of way of NW Bridge Street, 50 feet in width.

Tom M. Kerns
Tom M. Kerns

Joyce A. Kerns
Joyce A. Kerns

ACKNOWLEDGEMENT

STATE OF OREGON ss
COUNTY OF GRANT

Be it remembered that on this 12th day of Dec., 1991, personally appeared before me Tom M. Kerns and Joyce A. Kerns, husband and wife, who are known to me to be the identical persons described in and who executed the above instrument and who acknowledged to me that they executed the same freely and voluntarily.

In witness whereof, I have hereunto set my hand and affixed my official seal this 12th day of Dec, 1991.



Diane J. Sweek

STATEMENT OF WATER RIGHTS

Water Right Certificate No.25786 is appurtenant to this partition.

I do hereby certify that this photocopy is a true and exact copy of Land Partition Plat No. 91-5.

Robert D. Bagett
Bagett - Griffith & Associates

RECEIVED AM

DEC 28 1991
OFFICE OF COUNTY SURVEYOR
Robert D. Bagett
County Clerk

SHEET 2 OF 2