

LAND PARTITION PLAT NO. 2000-13

SITUATED IN THE W1/2 AND THE SE1/4 SEC. 31, T.12S., R.28E., W.M.,
GRANT COUNTY, OREGON

JULY 21, 2000

NO SURVEY WAS PERFORMED FOR THIS PARTITION PROCESS

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I, LOA J. MILLER, DO HEREBY DECLARE THAT I AM THE OWNER OF THE LANDS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND THAT I HAVE CAUSED SAID LANDS TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED MAP.

SUBJECT TO THE FOLLOWING:

1. A. EASEMENTS, LIENS, ENCUMBRANCES, INTERESTS OR CLAIMS THEREOF WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
B. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.
2. A. UNPATENTED MINING CLAIMS.
B. RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
C. WATER RIGHTS, CLAIMS OR TITLE TO WATER;
WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B), OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

SCALE: 1" = 600'

APPROVALS

APPROVED THIS 21ST DAY OF JULY, 2000

Loa J. Miller
WALLOWA COUNTY SURVEYOR

APPROVED THIS 24TH DAY OF JULY, 2000

Sharon Hamel
GRANT COUNTY PLANNING COMMISSION

ALL AD VALOREM AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.

Robert D. Baggett
GRANT COUNTY ASSESSOR & TAX COLLECTOR
DATE: 07-24-2000

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 21ST DAY OF JULY, 2000 AT 11:50 O'CLOCK A.M., AND RECORDED AS PARTITION PLAT NO. 2000-13 GRANT COUNTY RECORDS.

Loa J. Miller
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 2000-13.

Robert D. Baggett
BAGETT-GRIFFITH AND BLACKMAN

SURVEYOR'S CERTIFICATE

I ROBERT D. BAGETT, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SHOWN THE UNSURVEYED PARCELS ON THIS PARTITION PLAT, BEING SITUATED IN GRANT COUNTY, OREGON, SAID PARTITION BEING DESCRIBED AS FOLLOWS:

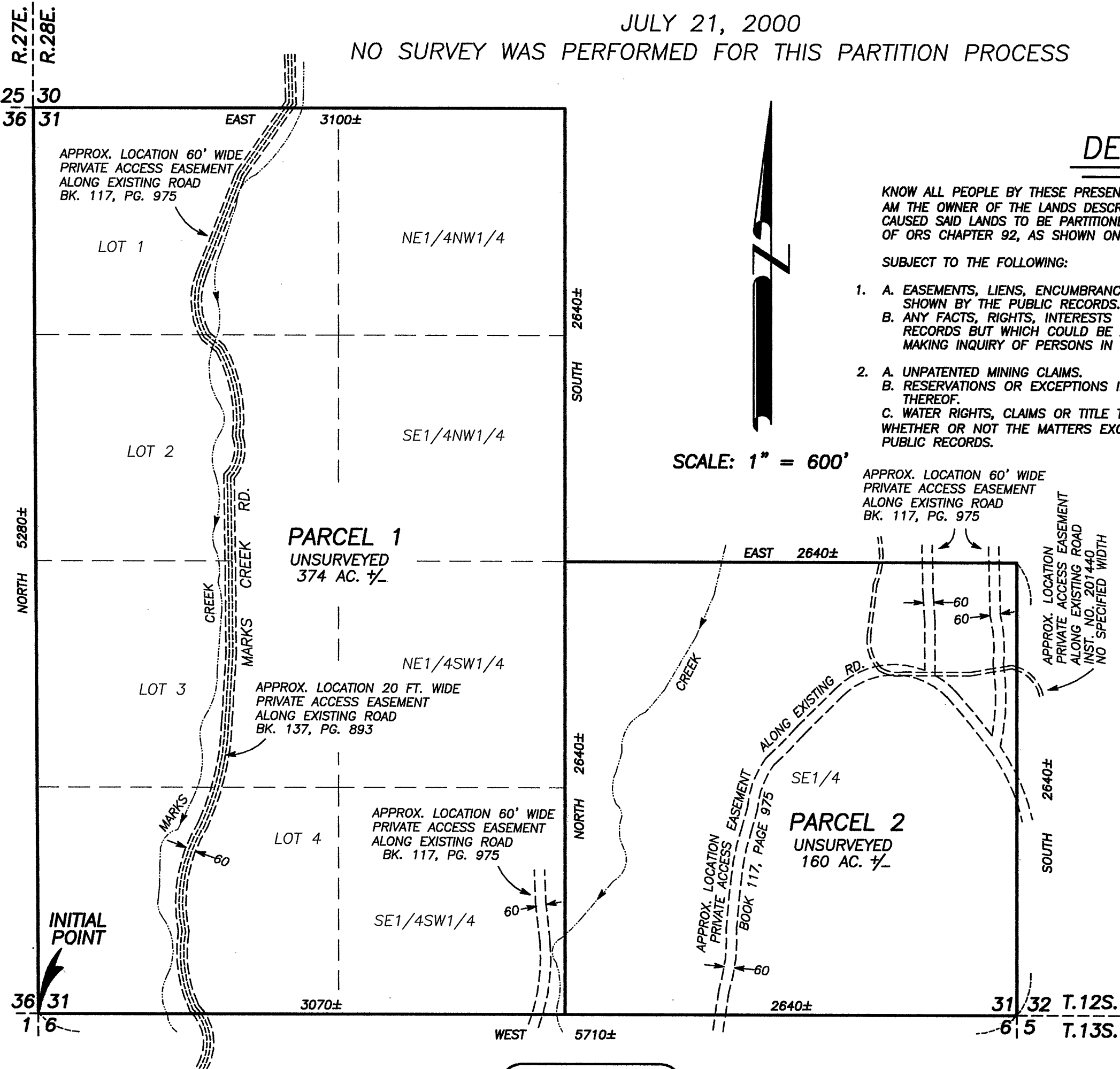
TWP. 12 S., R 28 E., W.M.:

SECTION 31: LOTS 1, 2, 3 AND 4; E1/2W1/2 AND THE SE1/4.

TOGETHER WITH AN EASEMENT IN COMMON WITH OTHERS ENTITLED TO THE USE THEREOF FOR ACCESS TO THE ABOVE DESCRIBED PROPERTY, SAID EASEMENT BEING DESCRIBED IN THAT CERTAIN SECOND CORRECTION EASEMENT DEED DATED NOV. 30, 1977, RECORDED DEC. 7, 1977 IN BOOK 117, PAGE 975, DEED RECORDS FOR GRANT COUNTY, OREGON.

CONTAINING 534 ACRES, MORE OR LESS

BAGETT, GRIFFITH & BLACKMAN
217 N. CANYON BLVD.
JOHN DAY, OREGON 97845
(541) 575-1251



NOTES:

1. THE SECTION AND SECTION SUBDIVISION LINES SHOWN ARE PROTRACTED FOR GENERAL INFORMATION ONLY.
2. THE LOCATION OF ALL CREEKS IS APPROXIMATE.
3. BEARINGS AND DISTANCES ARE APPROXIMATE.
4. THE LOCATIONS OF THE ROAD EASEMENTS SHOWN HEREON ARE APPROXIMATE. WE PLOT THESE EASEMENTS ACCORDING TO THE MAP EXHIBITS ATTACHED TO THE DEEDS LISTED. THE DEED RECORD STATES THAT THESE ROADS ON THE GROUND MAY DIFFER FROM THAT SHOWN IN THE DEED RECORD.

REFERENCES

DEED RECORD INSTRUMENT NO. 951767

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Baggett
OREGON
JULY 12, 1993
ROBERT D. BAGETT
598

Renewal Date 12/31/01

RECEIVED AND
FILED

July 27, 2000
OFFICE OF COUNTY SURVEYOR

Robert D. Baggett
ATTEST: *Sharon Hamel*

DECLARATION CONT'D

3. RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS.
4. EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.
5. EXCEPTION AND RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM EASTERN OREGON LAND COMPANY, A CORP., DATED MAY 23, 1949, RECORDED JAN. 19, 1954 IN DEED BOOK 69, PAGE 275, TO-WIT: "EXCEPTING, HOWEVER, AND RESERVING UNTO THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, ALL MINERALS IN OR ON, (INCLUDING METALS, COAL, GAS, OIL AND OTHER VALUABLE DEPOSITS OF MINERALS OF WHATSOEVER NATURE), AND SALT OR SALINE SPRINGS OR SPRINGS OF ANY NATURE EXCEPT WATER, WHICH ARE NOW KNOWN TO EXIST OR WHICH HEREAFTER MAY BE DISCOVERED IN OR UPON THE SAID LANDS, TOGETHER WITH THE RIGHT TO GO UPON SAID LANDS AND PROSPECT OR EXPLORE FOR, DEVELOP OR WORK MINES OR DEPOSITS OF SUCH MINERALS, AND DEVELOP AND UTILIZE SUCH SPRINGS AND THE PRODUCTS THEREOF, AND FOR SAID PURPOSES TO USE ALL SURFACE GROUND NECESSARY AND CONVENIENT THEREFOR; THE GRANTEES OR THEIR SUCCESSORS IN TITLE TO BE PAID THE ACTUAL DAMAGE THEREBY CAUSED, SUCH DAMAGE TO BE PAID WITHIN THIRTY DAYS AFTER THE SAME SHALL BE CAUSED AND THE AMOUNT THEREOF DETERMINED, AND FURTHER RESERVING UNTO THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, A CATTLE PASS OF REASONABLE WIDTH BY THE NEAREST ROUTE FROM NORTH TO SOUTH ACROSS SECS. 6 AND 7, TWP. 13 S., R. 28 E., W.M. AND SECS. 29 AND 31, TWP. 12 S., R. 28 E., W.M., FOR THE PURPOSE OF DRIVING LIVESTOCK BACK AND FORTH TO AND FROM LANDS LOCATED TO THE NORTH, IT BEING UNDERSTOOD AND AGREED THAT WHENEVER LIVESTOCK SHALL BE TRAILED ACROSS SAID LANDS, SUCH LIVESTOCK WILL BE KEPT ON THE MOVE AND WILL NOT BE QUARTERED ON THE PREMISES OVERNIGHT, AND THAT ALL GATES OPENED FOR PASSAGE WILL BE CLOSED PROMPTLY."
6. COMMON EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM EASTERN OREGON LAND COMPANY, A CORP., TO HENRY GEORGE AND LUCILLE GEORGE, HUSBAND AND WIFE, DATED AUG. 9, 1948, RECORDED SEPT. 20, 1948, IN DEED BOOK 55, PAGE 268, TO-WIT: "TOGETHER WITH THE RIGHT TO ENJOY AND USE, IN COMMON WITH THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, A CATTLE PASS OF REASONABLE WIDTH BY THE NEAREST ROUTE FROM NORTH TO SOUTH ACROSS SECS. 6 AND 7, TWP. 13 S., R. 28 E., W.M., AND SEC. 31, TWP. 12 S., R. 28 E., W.M., FOR THE PURPOSE OF DRIVING LIVESTOCK BACK AND FORTH TO AND FROM THE LANDS HEREBY CONVEYED, IT BEING UNDERSTOOD AND AGREED THAT WHENEVER LIVESTOCK SHALL BE TRAILED ACROSS SAID LANDS, SUCH LIVESTOCK WILL BE KEPT ON THE MOVE AND WILL NOT BE QUARTERED ON THE PREMISES OVERNIGHT, AND THAT ALL GATES OPENED FOR PASSAGE WILL BE CLOSED PROMPTLY."
7. SECOND CORRECTION EASEMENT DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN R. E. SPROUL AND VIOLET SPROUL, HIS WIFE, AND WILEY CREEK INVESTMENTS PARTNERSHIP, MARKS CREEK INVESTMENT PARTNERSHIP, AND W. C. SCANNELL, DATED NOV. 30, 1977, RECORDED DEC. 7, 1977 IN DEED BOOK 177, PAGE 975, DEED RECORDS OF GRANT COUNTY, CREATING EASEMENTS OVER AND ACROSS THE SUBJECT PROPERTY AND ADDITIONAL PROPERTY NOT THE SUBJECT OF THIS PARTITION. 60 FEET WIDE.
8. EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AWARDED IN THAT CERTAIN DEFAULT JUDGMENT AND DECREE ENTERED IN CASE NO. 88-06-0119CV OF THE CIRCUIT COURT FOR THE STATE OF OREGON, COUNTY OF GRANT, ENTITLED ROY W. ZEILER AND JEAN V. ZEILER, HUSBAND AND WIFE, VS. TRI COMPANY ET ALS, AND RECORDED NOV. 22, 1988 IN DEED BOOK 137, PAGE 893, CREATING AN EASEMENT IN COMMON OVER AN EXISTING ROAD KNOWN AS THE MARKS CREEK ROAD AS IT TRAVERSES THE SUBJECT PROPERTY AND ADDITIONAL LANDS. 20 FEET WIDE.
9. RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM MARKS CREEK INVESTMENT PARTNERSHIP, A LIMITED PARTNERSHIP BY AND THROUGH LAND ACQUISITION & DEVELOPMENT COMPANY, INC., THE GENERAL PARTNER, DATED NOV. 6, 1989, RECORDED NOV. 20, 1989 IN DEED BOOK 139, PAGE 698, AND RE-RECORDED JAN. 2, 1990 IN DEED BOOK 139, PAGE 961, TO-WIT: "RESERVING UNTO THE SELLER THE RIGHT TO GRANT ACCESS OVER THE PROPERTY DESCRIBED HEREIN TO OTHER LANDS OVER AND UPON ALL EXISTING ROADWAYS IN SECTIONS 4, 5, 6, 7, 8 & 9, TOWNSHIP 13 SOUTH, RANGE 28 EAST, W.M., AND IN SECTIONS 20, 21, 28, 29, 31, 32 & 33, TOWNSHIP 12 SOUTH, RANGE 28 EAST, W.M., WHICH ROADWAYS ARE IN THE APPROXIMATE LOCATION SHOWN IN SECOND CORRECTION EASEMENT RECORDED IN BOOK 117, PAGE 975, DEED RECORDS OF GRANT COUNTY, OREGON." (SEE ITEM NO. 7 OF THIS DECLARATION.)
10. RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM R. E. SPROUL AND VIOLET SPROUL, HUSBAND AND WIFE, DATED DEC. 19, 1978, RECORDED DEC. 6, 1980, AS INSTRUMENT NO. 901347, RECORDS OF GRANT COUNTY, OREGON, TO-WIT: "RESERVING UNTO GRANTORS THE EASEMENTS RESERVED IN THAT CERTAIN AGREEMENT OF SALE RECORDED IN BOOK 108, PAGES 588-96 OF THE DEED RECORDS OF GRANT COUNTY, OREGON, FOR THE TIME SPECIFIED THEREIN." NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
11. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO WILLIAM L. MILLER, DATED JANUARY 10, 1995, RECORDED JANUARY 20, 1995, INSTRUMENT NO. 950090, RECORDS OF GRANT COUNTY, OREGON. NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
12. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO ROY V. TROSCLAIR AND JOAN M. TROSCLAIR, AND WILLIAM L. MILLER, DATED JUNE 19, 2000, RECORDED JUNE 26, 2000, INSTRUMENT NO. 201440, RECORDS OF GRANT COUNTY, OREGON. NO WIDTH SPECIFIED.

Loa J. Miller
LOA J. MILLER

ACKNOWLEDGEMENT

STATE OF OREGON
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON July 25, 2000,
BY LOA J. MILLER

Sharon Hamel
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 5-29-2001

OFFICIAL SEAL
SHARON HAMEL
NOTARY PUBLIC-OREGON
COMMISSION NO. 301543
MY COMMISSION EXPIRES MAY 29, 2001