

LAND PARTITION PLAT NO. 2002-07

SITUATED IN THE SE1/4 SEC. 5, THE NE1/4 AND SE1/4 SEC. 8
AND IN THE NE1/4 AND NW1/4 SEC. 9,

T.14S., R.33E., W.M.,
GRANT COUNTY, OREGON
JUNE 13, 2002

SURVEYOR'S CERTIFICATE

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 DIVISION LINE BETWEEN PARCEL 1 AND PARCEL 2, AND THAT I DID NOT SURVEY THE EXTERIOR BOUNDARY OF THIS PARTITION, AS SHOWN ON THIS PARTITION PLAT, SAID PARTITION DESCRIBED AS FOLLOWS:

TWP. 14 S., R. 33 E., W.M., GRANT COUNTY, OREGON:

SECTION 5: SE1/4

SECTION 8: E1/2SE1/4; E1/2NE1/4; E1/2NW1/2NE1/4; ALL THAT PART OF THE W1/2NW1/4NE1/4 LYING NORTHERLY OF AN EXISTING ROAD.

SECTION 9: W1/2NE1/4; NW1/4.

SAVE AND EXCEPT THE FOLLOWING:

(A) COMMENCING AT A POINT ON THE NORTH-SOUTH SECTION LINE BETWEEN SECTIONS 4 AND 5, WHICH POINT IS 60 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE WEST, PARALLEL TO THE SOUTH LINE OF SAID SECTION 5, A DISTANCE OF 550 FEET; THENCE NORTH, PARALLEL TO THE EAST LINE OF SAID SECTION, A DISTANCE OF 792 FEET; THENCE EAST, TO THE EAST LINE OF SAID SECTION 5, A DISTANCE OF 550 FEET; THENCE SOUTH, ALONG THE NORTH-SOUTH SECTION LINE BETWEEN SAID SECTIONS 4 AND 5, A DISTANCE OF 792 FEET TO THE POINT OF BEGINNING.

(B) A PORTION OF SECTIONS 5 AND 8 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 5; THENCE NORTH, ALONG THE EAST LINE OF SECTION 5, 60 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DEEDED TO R. A. DAVIS, SAID DEED RECORDED DECEMBER 20, 1961, IN BOOK 86, PAGE 148; THENCE WEST, ALONG THE SOUTH LINE OF SAID DAVIS TRACT, A DISTANCE OF 550.0 FEET; THENCE SOUTH, PARALLEL TO THE EAST LINE OF SECTIONS 5 AND 8, A DISTANCE OF 80 FEET; THENCE EAST, 550.0 FEET, TO THE EAST LINE OF SAID SECTION 8; THENCE NORTH, 20 FEET TO THE POINT OF BEGINNING.

(C) THAT PORTION DESCRIBED IN BARGAIN AND SALE DEED FROM DONALD L. SCHULTZ, JR. AND SHARON A. SCHULTZ, HUSBAND AND WIFE TO GLEN A. JOHNSTON, DATED AUG. 1, 2000, RECORDED AUG. 7, 2000 IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 201857, TO-WIT: A TRACT OF LAND IN THE SE1/4NE1/4 OF SECTION 5 AND IN THE NE1/4NE1/4 OF SECTION 8 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 3733.13 FEET SOUTH AND 352.33 FEET WEST OF THE CLOSING CORNER MONUMENT BETWEEN SECTIONS 4 AND 5, TWP. 14 S., R. 33 E., W.M., SAID CLOSING CORNER BEING MONUMENTED WITH A GRANT COUNTY SURVEYOR BRASS CAP DATED 1971; THENCE N. 88°41'20" E. 137.25 FEET; THENCE S. 89°53'03" E. 174.60 FEET; THENCE S. 06°38'53" W. 140.35 FEET; THENCE S. 88°53'22" W. 293.58 FEET; THENCE N. 00°49'25" W. 142.32 FEET TO THE POINT OF BEGINNING. ALL ACCORDING TO RECORD MAP OF SURVEY NO. 1565 FILED IN THE OFFICE OF THE GRANT COUNTY SURVEYOR.

TOGETHER WITH THAT PORTION DESCRIBED IN BARGAIN AND SALE DEED FROM GLEN A. JOHNSTON, ET AL, TO DONALD L. SCHULTZ, JR., AND SHARON A. SCHULTZ, HUSBAND AND WIFE, DATED AUG. 3, 2000, RECORDED AUG. 7, 2000 IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 201853, TO-WIT: LAND LYING SOUTHERLY OF THE FOLLOWING DESCRIBED IN TWP. 14 S., R. 33 E., W.M.: A TRACT OF LAND IN THE NE1/4NE1/4 OF SECTION 8 AND THE NW1/4NW1/4 OF SECTION 9 (IF ANY), DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 3875.44 FEET SOUTH AND 350.29 FEET WEST OF THE CLOSING CORNER MONUMENT BETWEEN SECTIONS 4 AND 5, TWP. 14 S., R. 33 E., W.M., SAID CLOSING CORNER BEING MONUMENTED WITH A GRANT COUNTY SURVEYOR BRASS CAP DATED 1971; THENCE N. 88°53'22" E. 293.58 FEET; THENCE N. 06°38'53" E. 14.09 FEET; THENCE S. 83°21'07" E. 60.00 FEET. ALL ACCORDING TO RECORD MAP OF SURVEY NO. 1565 FILED IN THE OFFICE OF THE GRANT COUNTY SURVEYOR.

I DO HEREBY DESIGNATE THE SE CORNER OF SECTION 8, T.14S., R.33E., W.M., AS THE INITIAL POINT OF THIS LAND PARTITION

SAID TRACT CONTAINING 611 ACRES, MORE OR LESS.

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

RECEIVED AND
FILED

July 10, 2002
OFFICE OF COUNTY SURVEYOR

Robert D. Bagett
Attest: *Brian J. Perry*

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 1963
ROBERT D. BAGETT
598

Renewal Date 12/31/03

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF DON SCHULTZ, OWNER. THE PURPOSE OF THIS SURVEY WAS TO CREATE 2 PARCELS WITH THIS LAND PARTITION AND TO SURVEY THE DIVISION LINE BETWEEN PARCEL 1 AND PARCEL 2, AS SHOWN. I DID NOT SURVEY THE EXTERIOR BOUNDARIES OF THESE PARCELS.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. WE MADE FIELD MEASUREMENTS TO LOCATE EXISTING MONUMENTS, AS SHOWN. WE SET NEW MONUMENTS AT POSITIONS APPROVED BY MR. SCHULTZ, AS SHOWN HEREON.

THE BASIS OF BEARINGS FOR THIS SURVEY IS BASED ON THE FOUND MONUMENTS SHOWN AND ON OUR FOUND CONTROL POINTS OF RECORD SURVEY NO. 1605

REFERENCES

RECORD MAP OF SURVEY NO.'S 1565 & 1605
DEED RECORD INSTRUMENT NO.'S 930375, 980481, 201853,
201857 & 221810

DEED RECORD BOOK 86, PAGE 148
PRELIMINARY TITLE REPORT ORDER NO. 16706
RECORD REMONUMENTATION SHEET BY SAUNDERS

APPROVALS

APPROVED THIS 13TH DAY OF JUNE, 2002

Jack W. Burris
WALLA WALLA COUNTY SURVEYOR

APPROVED THIS 21ST DAY OF JUNE, 2002

Sharon A. McNary
GRANT COUNTY PLANNING DIRECTOR

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

Ann S. Burton
GRANT COUNTY ASSESSOR & TAX COLLECTOR
DATE: 06-21-2002

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED
ON THE 10TH DAY OF JULY, 2002 AT 9:15 O'CLOCK
A.M., AND RECORDED AS PARTITION PLAT NO. 2002-07
GRANT COUNTY RECORDS.

Brian J. Perry
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT
COPY OF LAND PARTITION PLAT NO. 2002-07.

Robert D. Bagett
BAGETT-GRIFFITH AND BLACKMAN

THIS PARTITION SUBJECT TO THE FOLLOWING:

1. (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.
2. RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
3. PUBLIC EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR ROAD RIGHT OF WAY. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO UNITED STATES OF AMERICA, RECORDED MAY 17, 1945, BOOK 47, PAGE 524. 60 FT. IN WIDTH (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
4. PUBLIC EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR ROAD RIGHT OF WAY. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO UNITED STATES OF AMERICA, RECORDED MAY 17, 1945 BOOK 47, PAGE 526. 60 FT. IN WIDTH (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
5. PUBLIC EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF FOR ROAD RIGHT OF WAY. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO UNITED STATES OF AMERICA, RECORDED MAY 17, 1945, BOOK 47, PAGE 527. 60 FT. IN WIDTH (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
6. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF FOR THE CONSTRUCTION AND MAINTENANCE OF TRANSMISSION LINES AND POLES. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO CALIFORNIA PACIFIC UTILITIES COMPANY, RECORDED DECEMBER 18, 1950, BOOK 61, PAGE 487. 30 FT. IN WIDTH (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
7. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF FOR CONSTRUCTION AND MAINTENANCE OF TELEPHONE FACILITIES. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO OREGON TELEPHONE CORPORATION, A CORP. RECORDED APRIL 12, 1974, BOOK 111, PAGE 352. NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
8. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR INGRESS AND EGRESS. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO CLIFTON W. LEMONS, TRUSTEE. RECORDED AUGUST 27, 1992 INST. NO. 921740. 15 FT IN WIDTH. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
9. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF FOR THE CONSTRUCTION AND MAINTENANCE OF TRANSMISSION LINES AND POLES. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO OREGON TRAIL ELECTRIC CONSUMERS COOPERATIVE, A CORP. RECORDED OCTOBER 28, 1997, INST. NO. 972173. 15 FT. IN WIDTH. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
10. RIGHT OF WAY DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF FOR ROAD RIGHT OF WAY. TOGETHER WITH ALL APPURTENANCES THERETO AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO GRANT COUNTY, OREGON, RECORDED JUNE 12, 2002, INSTRUMENT NO. 221810. 60 FT. IN WIDTH
11. EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, DONALD L. SCHULTZ, JR. AND SHARON A. SCHULTZ, HUSBAND AND WIFE, DO HEREBY DECLARE THAT WE ARE THE OWNERS OF THE LANDS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND THAT WE HAVE CAUSED SAID LANDS TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED MAP, AND THAT WE DO HEREBY GRANT TO THE FUTURE OWNERS OF PARCEL 2 A PRIVATE ACCESS EASEMENT, FOR THE PURPOSE OF INGRESS AND EGRESS TO LITTLE INDIAN CREEK COUNTY ROAD NO. 55, SAID EASEMENT BEING 15 FEET IN WIDTH, AS SHOWN HEREON.

Donald L. Schultz, Jr.
DONALD L. SCHULTZ, JR.

Sharon A. Schultz
SHARON A. SCHULTZ

ACKNOWLEDGMENT

STATE OF OREGON SS
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 21, 2002,
BY DONALD L. SCHULTZ, JR. AND SHARON A. SCHULTZ, HUSBAND AND WIFE.

Bonnie J. Winegar
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 11-2-03

