

LAND PARTITION PLAT NO. 2004-2  
A PARTITION OF PARCEL 1, PARTITION NO. 2000-9 AND  
A PORTION OF THE E1/2E1/2W1/2E1/2NW1/4 OF SECTION 35  
SITUATED IN THE NE1/4 AND NW1/4 OF SECTION 35  
T13S, R31E, W.M.  
CITY OF CANYON CITY  
GRANT COUNTY, OREGON

January 30, 2004  
Sheet 2 of 2

APPROVALS

Approved this 23<sup>rd</sup> day of FEB., 2004

Robert D. Baggett  
Grant County Surveyor

Approved this 1 day of March, 2004

Wendy J. Johnson  
Chairman of the Canyon City  
Planning Commission

All ad valorem and special assessments due pursuant  
to law have been assessed and collected.

Karen R. Officer, Deputy  
Grant County Assessor and Tax Collector  
Date 03-03-04

I do hereby certify that this plat was received on  
the 3<sup>rd</sup> day of March, 2004 at 8:45 o'clock  
AM., and recorded as Land Partition Plat No. 2004-2  
Grant County Records.

Larry M. Munson  
Grant County Clerk

I do hereby certify that this is a true and exact  
copy of the original Land Partition plat.

Jack L. Watson  
Jack L. Watson

NARRATIVE

This survey was performed at the request of Garry Allen.  
The purpose of this survey was to partition Mr. Allen's  
property into two parcels as shown hereon.

A search was made of the available records pertaining to  
this survey and for the monument at the N1/4 corner of  
Section 35. The corners of Parcel 2 were monumented at  
the locations determined by Mr. Allen. The boundaries of  
Parcel 1 were not surveyed during this partition process.

SURVEYOR'S CERTIFICATE

I, Jack L. Watson, Professional Land Surveyor, registered in the State of  
Oregon, hereby certify that I have correctly surveyed and marked with proper  
monuments Parcel 2 and that Parcel 1 was not surveyed in this partition  
process. This partition is situated in the NE1/4 and in the NW1/4 of Section  
35, T13S, R31E, W.M., City of Canyon City, Grant County, Oregon,  
described as follows:

T13S, R31E, W.M.

Section 35: Parcel 1 of Partition No. 2000-9, recorded in the office of the  
Grant County Clerk and the E1/2E1/2W1/2E1/2NW1/4, Excepting therefrom  
the south 470.00 feet.

I designate the N1/4 corner of Section 35 to be the Initial Point of this  
partition as shown hereon.

This partition contains 42.99 acres, more or less.

CORNERSTONE SURVEYING, INC.  
233 S. Canyon Blvd.  
John Day, Oregon 97845  
575-1813

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Jack L. Watson  
OREGON  
SEPT 19, 1995  
JACK L. WATSON  
2734

Renewal Date 6/30/2004

DECLARATION AND DEDICATION

Know all people by these presents that we, Garry N. Allen and Carol J. Allen,  
husband and wife, do hereby declare we are the owners of the lands described  
in the Surveyor's Certificate, and that we have caused the same to be  
partitioned into two parcels in accordance with the provisions of ORS  
Chapter 92 as shown hereon. We hereby grant a 30 foot wide private access  
easement, over and across Parcel 1 for ingress and egress to Parcel 2 as  
shown hereon.

Garry N. Allen  
Garry N. Allen

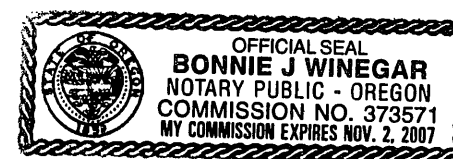
Carol J. Allen  
Carol J. Allen

ACKNOWLEDGEMENT

STATE OF OREGON }  
COUNTY OF GRANT } SS

This instrument was acknowledged before me on this 26<sup>th</sup> day of February,  
2004, by Garry N. Allen and Carol J. Allen, husband and wife.

Bonnie J. Winegar  
Notary Public of Oregon  
My commission expires: 11-2-07



RECEIVED AND  
FILED

MARCH 22, 2004  
OFFICE OF COUNTY SURVEYOR  
Robert D. Baggett  
Attest:

EASEMENTS

SAID PARCELS ARE SUBJECT TO THE FOLLOWING:

- 1) Rights of the public in streets, roads and highways.
- 2) The provisions and reservations contained in that certain patent from the  
United States of America dated April 2, 1882, recorded March 27, 1886 in  
the Deed Book G, Page 58, for the Humbolt Placer Mine, to-wit:  
THIRD: That the premises hereby conveyed may be entered by the proprietor  
of any vein or lode of quartz or other rock in place bearing gold, silver,  
cinnabar, lead tin, copper, or other valuable deposits, for the purpose of  
extracting and removing the ore from such vein or lode, should the same, or  
any part thereof, be found to penetrate, intersect, pass through or dip into the  
mining ground or premises hereby granted."  
FOURTH: That the premises hereby conveyed shall be held subject to any  
vested and accrued water rights for mining, agricultural, manufacturing, or  
other purposes, and rights to ditches and reservoirs used in connection with  
such water rights, as may be recognized and acknowledged by the local laws,  
customs, and decisions of the courts. And there is reserved from the lands  
hereby granted a right of way thereon for ditches or canals constructed by the  
authority of the United States.  
FIFTH: That in the absence of necessary legislation by Congress, the  
legislature of Oregon may provide rules for working in the mining claim or  
premises hereby granted, involving easements, drainage and other necessary  
means to the complete development thereof.
- 3) The provisions and reservations contained in patent from the United States  
of America, dated April 3, 1905, recorded Aug. 16, 1911 in Deed Book 29,  
Page 335, as to the Consolidated Mining Claim No. 2 Placer.  
NOTE: These are the same as paragraphs THIRD, FOURTH and FIFTH  
shown in Exception No. 7 above.
- 4) Unpatented tunnel claims, water rights, claims or title to water.
- 5) Agreement, including the terms and provisions thereof, between the State  
of Oregon, acting by and through its Game Commission (1st party) and the  
owners of lands on which there are water rights of diversion of water from  
Canyon Creek, a tributary of the John Day River in Grant County, Oregon,  
dated May 22, 1961, recorded May 25, 1961 in Book I, Page 281, Lease &  
Agreement Records, in regard to the impoundment of water at the site  
commonly known as the Canyon Creek Meadows Dam on the headwaters of  
Canyon Creek; and Amendment to Agreement between the same parties,  
dated June 25, 1962, recorded July 3, 1962 in Book I, Page 364, said Lease &  
Agreement Records.
- 6) Rights of the public and governmental bodies in and to any portion of the  
premises herein described, now or at any time lying below high water mark of  
Canyon Creek, including any ownership rights which may be claimed by the  
State of Oregon, as to any portion now or at any time below the high water  
mark.
- 7) Any adverse claim based upon the assertion that:  
(a) Said land or any part thereof is now or at any time has been below the  
ordinary highwater mark of Canyon Creek.  
(b) Some portion of said land has been created by artificial means or has  
accreted to such portion so created.  
(c) Some portion of said land has been brought within the boundaries thereof  
by an avulsive movement of Canyon Creek, or has been formed by accretion  
to any such portion.
- 8) Such rights and easements for navigation and fishing as may exist over that  
portion of the property lying now or at any time beneath the waters of Canyon  
Creek.
- 9) A private easement, including the terms and provisions thereof, to  
California Pacific Utilities Company, a corp., dated February 28, 1968,  
recorded April 22, 1968, in Deed Book 99, Page 57, Records of Grant  
County, Oregon. Right of way easement for utility and incidental purposes, 10  
feet wide. This easement is not shown due to a lack of information given in  
the deed.
- 10) Terms and conditions shown in the deed from Barbara P. Graves to Garry  
N. Allen and Carol J. Allen, husband and wife, deed Instrument No. 202936,  
deeds of Grant County, Oregon, dated August 1, 1997.
- 11) A private easement, including the terms and provisions thereof, to  
Oregon Trail Electric Consumers Cooperative, Inc., recorded July 30, 2003,  
in Instrument No. 032288, deed records of Grant County, Oregon. Right of  
way easement no width is given. This easement is not shown due to a lack of  
information given in the deed.
- 12) A private power line right of way modification agreement, including the  
terms and provisions thereof, to Oregon Trail Electric Consumers  
Cooperative, Inc., recorded Sept. 24, 2001, in Instrument No. 212449, deed  
records of Grant County, Oregon, no width is given. This easement is not  
shown due to a lack of information given in the deed.