

### SUBJECT TO THE FOLLOWING:

- RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
- AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, REGARDING ABANDONMENT BY THE STATE OF CERTAIN PORTIONS OF THE OLD KIMBERLY-LONG CREEK SECONDARY HIGHWAY, BETWEEN STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION AND GRANT COUNTY, OREGON RECORDED NOVEMBER 12, 1946, BOOK F, PAGE 273.
- 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 COLUMBIA POWER COOPERATIVE ASSOCIATION, A COOPERATIVE CORP. RECORDED JANUARY 28, 1953, BOOK 67, PAGE 186. NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- UNRECORDED PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF A WATER LINE. GRANTED TO THEODORE H. PHELPS AND LAVENIA M. PHELPS, HUSBAND AND WIFE. AFFECTS THAT PORTION OF THE SE1/4NE1/4 OF SEC. 7, T.9S., R.27E., W.M., THAT LIES NORTH OF THE JOHN DAY RIVER. NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA)
- PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR CONSTRUCTION OF A WELL, PIPELINE, IRRIGATION PUMP, TOGETHER WITH ALL APPURTENANCES THERETO, AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO DAVID E. VICKSTROM AND LYNETTE L. VICKSTROM, HUSBAND AND WIFE. RECORDED MARCH 30, 1982, BOOK 126, PAGE 125. AFFECTS SE1/4NE1/4 OF SECTION 7, TWP. 9 S., R. 27 E., W.M.. NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- PRIVATE EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT TO BURY AND MAINTAIN UNDERGROUND TELEPHONE FACILITIES, TOGETHER WITH ALL APPURTENANCES THERETO, AS MORE PARTICULARLY DESCRIBED THEREIN. GRANTED TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORP. RECORDED MAY 5, 1986, BOOK 133, PAGES 338, 339, 340, AND 341. NO WIDTH SPECIFIED. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- PRIVATE AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, REGARDING IRRIGATION PUMP AGREEMENT BETWEEN DAVID L. LUNDY, JR. AND DOROTHY D. LUNDY, HUSBAND AND WIFE AND BRAD A. SMITH AND JULIE M. SMITH, HUSBAND AND WIFE. RECORDED DECEMBER 18, 1997, INSTRUMENT NO. 972484. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- PRIVATE WATER LINE EASEMENT FOR THE PURPOSE OF MAINTAINING A DOMESTIC WATER LINE SERVING PARCEL 1 OF LAND PARTITION NO. 93-03, AS SHOWN IN THE DECLARATION OF SAID LAND PARTITION NO. 93-03. 10 FEET IN WIDTH. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- PRIVATE WATER LINE EASEMENT ACROSS PARCEL 1 OF LAND PARTITION NO. 94-04 SERVING PARCEL 2 OF SAID LAND PARTITION NO. 94-04, AS SHOWN IN THE DECLARATION OF SAID PARTITION. 10 FEET IN WIDTH. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- SUBJECT TO ANY AND ALL MATTERS AS SET FORTH, DELINEATED, AND DECLARED ON LAND PARTITION PLATS NO. 93-3, FILED FOR RECORD IN THE OFFICE OF THE GRANT COUNTY CLERK, ON FEBRUARY 12, 1993, AND 94-4, FILED FOR RECORD IN THE OFFICE OF THE GRANT COUNTY CLERK, ON JULY 26, 1994.
- PRIVATE AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, REGARDING WELL AGREEMENT BETWEEN DAVID L. LUNDY, JR. AND DOROTHY D. LUNDY, HUSBAND AND WIFE AND BRAD A. SMITH AND JULIE M. SMITH, HUSBAND AND WIFE. RECORDED DECEMBER 18, 1997, INSTRUMENT NO. 972485 (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION)
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

### REFERENCES

RECORD MAP OF SURVEY NO.'S 213, 711, 1219 & 1436  
DEED RECORD INSTRUMENT NO.'S 970951, 972481, 972483 & 992326  
RECORD LAND PARTITION PLAT NO.'S 93-3 & 94-4  
PRELIMINARY TITLE REPORT NO. 16976

AFFIDAVIT OF CONSENT TO DECLARATION OF PROPERTY  
BEING PARTITIONED RECORDED AS INSTRUMENT NO.  
20041661, DEED RECORDS.

### DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, BRAD A. SMITH AND JULIE MANSFIELD SMITH, 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 PLAT.

Brad A. Smith  
BRAD A. SMITH

Julie Mansfield Smith  
JULIE MANSFIELD SMITH

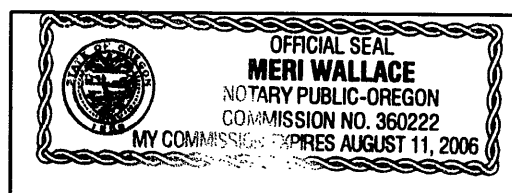
### ACKNOWLEDGMENT

STATE OF OREGON SS  
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 7, 2004,  
BY BRAD A. SMITH AND JULIE MANSFIELD SMITH, HUSBAND AND WIFE.

Mari Wallace  
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES Aug. 11, 06



### APPROVALS

APPROVED THIS 1st DAY OF JUNE, 2004

Jackie Purris  
WALLOWA COUNTY SURVEYOR

APPROVED THIS 22 DAY OF June, 2004

Mary & Mary  
GRANT COUNTY PLANNING DIRECTOR

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

Bob Smith  
GRANT COUNTY ASSESSOR & TAX COLLECTOR  
DATE: 06-22-2004

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED  
ON THE 22 DAY OF June, 2004 AT 12:00 O'CLOCK  
A.M. AND RECORDED AS PARTITION PLAT NO. 2004-08  
GRANT COUNTY RECORDS.

Wesley Smith  
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT  
COPY OF LAND PARTITION PLAT NO. 2004-08

Michael C. Springer  
BAGETT-GRIFFITH AND BLACKMAN

### SURVEYOR'S CERTIFICATE

I, MICHAEL C. SPRINGER, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, PARCEL 2, PARCEL 3 AND A PORTION OF THE EXTERIOR BOUNDARY OF THIS LAND PARTITION, AS SHOWN HEREON, AND THAT I HAVE NOT SURVEYED THE REMAINING EXTERIOR BOUNDARY OF THIS LAND PARTITION, SAID PARTITION BEING SITUATED IN THE NE1/4 AND SE1/4 OF SECTION 7 AND IN THE SW1/4 AND THE NW1/4 OF SECTION 8, T. 9 S., R. 27 E., W.M., GRANT COUNTY, OREGON, DESCRIBED AS FOLLOWS:

TWP. 9 S., R. 27 E., W.M.: SECTIONS 7 & 8;  
PARCEL NO. 1 OF LAND PARTITION NO. 93-3 AS SHOWN ON THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF GRANT COUNTY, OREGON;  
ALSO, A PORTION OF PARCEL NO. 1 OF LAND PARTITION NO. 94-4 AS SHOWN ON THE PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF GRANT COUNTY, OREGON, DESCRIBED AS FOLLOWS: ALL THAT PORTION OF PARCEL NO. 1 OF SAID LAND PARTITION NO. 94-4 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 2 AND LYING SOUTHWESTERLY OF COURSE "A" AND LYING SOUTHERLY OF COURSE "B" AS SAID COURSES ARE HEREINAFTER DESCRIBED;  
BEGINNING AT THE NORTHEAST CORNER OF PARCEL NO. 1 OF LAND PARTITION NO. 93-3;  
THENCE N.43°22'00"E., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 2, A DISTANCE OF 365.91 FEET (RECORD= 365.96) TO THE TRUE POINT OF BEGINNING;  
THENCE S.25°14'56"E., ALONG COURSE "A", A DISTANCE OF 507.30 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF THE KIMBERLY-LONG CREEK HIGHWAY;  
THENCE S.58°09'20"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY 690.11 (RECORD= 690 FEET, MORE OR LESS), TO A POINT ON THE NORTH LINE OF THE SE1/4NW1/4 OF SAID SECTION 8;  
THENCE N.89°36'09"E., ALONG COURSE "B", ALONG THE NORTH LINE OF THE SE1/4NW1/4 OF SAID SECTION 8, A DISTANCE OF 1029.77 (RECORD= 1030 FEET, MORE OR LESS), TO THE NORTHEAST CORNER OF SAID SE1/4NW1/4.

EXCEPTING THEREFROM: THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED DATED MAY 23, 1997, RECORDED MAY 28, 1997 AS INSTRUMENT NO. 970951, DEED RECORDS OF GRANT COUNTY, OREGON.

ALSO EXCEPTING ANY PORTION WITHIN THE RIGHTS OF WAY OF THE STATE HIGHWAY AND THE COUNTY ROAD.

I DO HEREBY DESIGNATE THE SE CORNER OF PARCEL 3 AS THE INITIAL POINT OF THIS LAND PARTITION.

CONTAINING 92 ACRES, MORE OR LESS.

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

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Michael C. Springer  
OREGON  
JULY 9, 2002  
MICHAEL C. SPRINGER  
#70918

EXPIRES: 6/30/2004

