

LAND PARTITION PLAT NO. 2006-11

A PARTITION OF PARCEL 1, PARTITION NO. 2005-22
SITUATED IN THE NE1/4 AND NW1/4 OF SECTION 35
T13S, R31E, W.M.
CITY OF CANYON CITY
GRANT COUNTY, OREGON

June 14, 2006
Sheet 2 of 2

APPROVALS

Approved this 26 day of JUNE, 2006

Robert D. Sargent
Grant County Surveyor

Approved this 29 day of JUNE, 2006

Marilyn J. Hoffman
Chairman of the Canyon City
Planning Commission

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

Lane R. Suter
Grant County Assessor and Tax Collector
Date 06/22/2006

I do hereby certify that this plat was received on
the 26th day of June, 2006 at 3:00 o'clock
P.M., and recorded as Land Partition Plat No. 2006-11
Grant County Records.

Kathy M. Senn
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 three parcels as shown hereon.

A search was made of the available records pertaining to
this. The corners of parcels 2 and 3 were monumented
at the locations determined by Mr. Allen. The boundaries
of Parcel 1 were not surveyed during this partition
process.

RECEIVED AND
FILED

Aug 4, 2006
OFFICE OF COUNTY SURVEYOR
Attest: Robert D. Sargent

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 Parcels 2 and 3, 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:

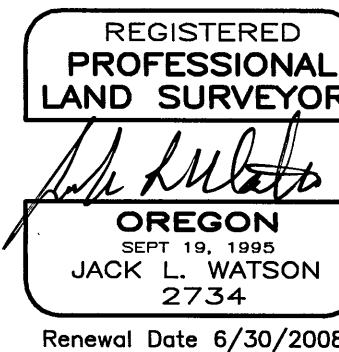
T13S, R31E, W.M.

Section 35: Parcel 1 of Partition No. 2005-22, recorded in the office of the
Grant County Clerk.

I designate the N1/4 corner of Section 35 to be the initial point of this land
partition.

This partition contains 38.97 acres, more or less.

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



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 three parcels
in accordance with the provisions of ORS Chapter 92 as shown
hereon. We hereby grant a private 30 foot wide access easement,
over and across parcel 1 and parcel 3, for ingress and egress
to parcel 1 and to parcel 2 of this land partition. We grant a 20
foot wide private utility easement over and across parcel 3 for an
unrestricted utility easement to serve parcel 2. We grant a 20 foot
wide public emergency access easement over and across Parcel 3
to access Parcel 2.

Garry N. Allen
Garry N. Allen

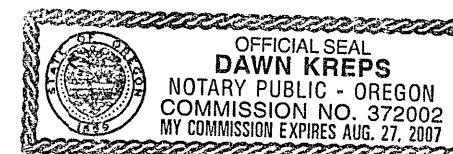
Carol J. Allen
Carol J. Allen

ACKNOWLEDGEMENT

STATE OF OREGON }
COUNTY OF GRANT } SS

This instrument was acknowledged before me on this 27th day of June,
2006, by Garry N. Allen and Carol J. Allen, husband and wife.

Dawn Kreps
Notary Public of Oregon
My commission expires: Aug 27, 2007



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.
- 13) A private access easement, 30 feet wide, as shown on Land Partition
No. 2004-2 recorded in the office of the Grant County Clerk.
- 14) A private access easement, 20 feet wide, as shown on Land Partition
No. 2005-22 recorded in the office of the Grant County Clerk.