

LAND PARTITION PLAT NO. 2006-15

A PARTITION OF PARCEL 3 OF LAND PARTITION NO. 2005-11
SITUATED IN THE NW1/4 OF SECTION 34, T.13S., R.31E., W.M.,
GRANT COUNTY, OREGON
JULY 13, 2006

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 LAND REPRESENTED AS SHOWN ON THIS PARTITION PLAT, SAID PARTITION BEING A PARTITION OF PARCEL 3, LAND PARTITION PLAT NO. 2005-11, SITUATED IN THE NW1/4 SECTION 34, T.13S., R.31E., W.M., GRANT COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 3 OF LAND PARTITION NO. 2005-11, ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF GRANT COUNTY OREGON.

I DO HEREBY DESIGNATE THE NE CORNER OF PARCEL 1 AS THE INITIAL POINT OF THIS LAND PARTITION.

SAID TRACT CONTAINING 10.18 ACRES, MORE OR LESS.

BAGETT, GRIFFITH & BLACKMAN
PROFESSIONAL LAND SURVEYORS
217 NORTH CANYON BLVD.
JOHN DAY, OREGON
(541) 575-1251

REFERENCES

RECORD MAP OF SURVEY NO'S 324, 362 & 415
DEED INSTRUMENT NO. 991300
LAND PARTITION PLAT NO.'S 96-06, 97-16, 99-02 & 2005-11
PRELIMINARY TITLE REPORT ORDER NO. 18888

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF TIM CLEMENS. THE PURPOSE OF THIS SURVEY WAS TO CREATE 2 PARCELS WITH THIS LAND PARTITION, WHICH IS A PARTITION OF PARCEL 3 OF LAND PARTITION NO. 2005-11, AND TO SET MONUMENTS AT CORNERS OF THE PARCEL BOUNDARIES, AS SHOWN.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE EXISTING CONTROLLING MONUMENTS. WE RETRACED PARCEL NO.'S 2 AND 3 OF LAND PARTITION NO. 2005-11, WHICH I SURVEYED IN JUNE 2005. THE NEW MONUMENTS WERE SET IN ACCORDANCE WITH THE EVIDENCE FOUND AND AT POSITIONS APPROVED BY MR. CLEMENS, AS SHOWN HEREON.

THE SOUTHWESTERLY BOUNDARY OF PARCEL 2 IS ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF COUNTY ROAD 74 AND THE AREA OF THIS PARCEL IS CALCULATED TO SAID RIGHT OF WAY LINE. THE ORIGINAL TITLE TO THIS TRACT IS DESCRIBED AS LYING NORTH OF THE CENTERLINE OF ROAD EASEMENT "A" AND IS SUBJECT TO THE DEDICATED RIGHT OF WAY OF COUNTY ROAD 74. ALTHOUGH COUNTY ROAD 74 WAS TO REPLACE ROAD EASEMENT "A", THE ALIGNMENTS DO NOT EXACTLY COINCIDE. ROAD EASEMENT "A", A PRIVATE EASEMENT, HAS NOT YET BEEN ABANDONED BY THE OWNERS THEREOF.

SUBJECT TO THE FOLLOWING:

- (1) RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS.
- (2) RIGHT OF WAY DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO GRANT COUNTY, OREGON, RECORDED AUGUST 10, 1994, IN THE RECORDS OF GRANT COUNTY, OREGON AS INST. NO. 941614, FOR RIGHT OF WAY FOR THE COUNTY ROAD 74 TO COUNTY ROAD 51 TIE THROUGH.
- (3) RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SHOWN IN DEED FROM R L C INVESTMENTS, INC., A CORP., DATED MARCH 4, 1977, RECORDED MARCH 10, 1977 IN DEED BOOK 116, PAGE 382, TO-WIT: "RESERVING UNTO GRANTOR, ITS SUCCESSORS AND ASSIGNS AN EASEMENT IN COMMON OVER AND ALONG THAT PORTION OF EASEMENT "A" THAT TRAVERSES THE PROPERTY DESCRIBED HEREIN FOR THE PURPOSE OF INGRESS AND EGRESS TO COUNTY ROAD NO. 47".
NOTE: ROAD EASEMENT "A" IS NOW DESIGNATED AS COUNTY ROAD NO. 74.
- (4) A PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO CP NATIONAL, A CORP., DATED OCTOBER 31, 1979, RECORDED DECEMBER 7, 1979, IN DEED BOOK 122, PAGE 182, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, 30 FT. WIDE, AS SHOWN.
- (5) DECLARATION OF DEDICATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE PUBLIC, DATED MARCH 31, 1980, RECORDED FEB. 10, 1982 IN DEED BOOK 125, PAGE 945 AFFECTING ROAD EASEMENT "A" AS DESCRIBED IN DEED BOOK 110, PAGE 900.
- (6) THE COMMON EASEMENTS REFERRED TO HEREIN ARE SUBJECT TO RIGHTS OF WAY, ACCESS RESTRICTIONS, AGREEMENT REGARDING MAINTENANCE AND CONTROL OF THE OLD HIGHWAY, AND RIGHTS OF THE UNITED STATES OF AMERICA.
- (7) EASEMENTS, RIGHTS OF WAY AND RESERVATIONS, AS THE SAME MAY EXIST OR APPEAR OF RECORD.

ALSO, AN EASEMENT IN COMMON WITH OTHERS ENTITLED TO THE USE THEREOF, OVER AND ALONG ROAD EASEMENT "A" FOR THE PURPOSE OF INGRESS AND EGRESS TO COUNTY ROAD NO. 47, AS SAID EASEMENT IS DESCRIBED IN BOOK 110, PAGE 900, DEEDS.

- (8) THE EASEMENTS OF LAND PARTITION NO. 2005-11 AS SHOWN HEREON.

APPROVALS

APPROVED THIS 10 DAY OF August, 2006

Jim Kimbaling
MALHEUR COUNTY SURVEYOR

APPROVED THIS 16 DAY OF August, 2006

Hilary Murray, by Thomas Spring
GRANT COUNTY PLANNING DIRECTOR

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

Karen R. Officer, Deputy
GRANT COUNTY ASSESSOR & TAX COLLECTOR
DATE: 08.16.2006

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 16 DAY OF Aug, 2006 AT 10 O'CLOCK AM, AND RECORDED AS LAND PARTITION PLAT NO. 2006-15 GRANT COUNTY RECORDS.

Alice West
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 2006-15.

Robert D. Bagett
BAGETT-GRIFFITH AND BLACKMAN

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I, TIM CLEMENS, OWNER, DO HEREBY DECLARE THAT I HAVE CAUSED THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED MAP. I DO HEREBY CREATE A VARIABLE WIDTH PRIVATE ACCESS AND UTILITIES EASEMENT TO THE BENEFIT OF PARCEL 1 OF THIS LAND PARTITION AND PARCEL 2 OF LAND PARTITION 2005-11, OVER AND ACROSS PARCELS 1 AND 2 OF THIS LAND PARTITION, AS SHOWN HEREON.

Tim Clemens
TIM CLEMENS

ACKNOWLEDGMENT

STATE OF OREGON

COUNTY OF Grant

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Aug. 16, 2006, BY TIM CLEMENS.

James A. Kowing
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 11/20/07

