

LAND PARTITION PLAT NO. 2007-06

SITUATED IN NE1/4SE1/4, SECTION 35, T.13S., R.31E., W.M.

TOWN OF CANYON CITY,
GRANT COUNTY, OREGON

MARCH 5, 2007

SURVEYOR'S CERTIFICATE

SUBJECT TO THE FOLLOWING:

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, THE LAND REPRESENTED AS SHOWN ON THIS PARTITION PLAT, SAID LAND BEING SITUATED IN THE TOWN OF CANYON CITY, GRANT COUNTY, OREGON, DESCRIBED AS FOLLOWS:

T.13S., R.31E., W.M.:

SECTION 35:

A TRACT OF LAND SITUATED IN THE NW1/4NE1/4SE1/4 AND IN THE SW1/4NE1/4SE1/4 AND IN THE SE1/4NE1/4SE1/4 DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE SW1/4NE1/4SE1/4 OF SAID SEC. 35; THENCE N21°17'35"E, 292.60 FEET; THENCE N88°23'00"E, 57.38 FEET; THENCE S51°29'08"E, 187.41 FEET; THENCE S67°29'51"E, 382.95 FEET (RECORD: S67°28'36"E, 383.01) TO THE NORTHEAST CORNER OF SAID SW1/4NE1/4SE1/4; THENCE N89°03'59"E, ALONG THE NORTH LINE OF THE SE1/4NE1/4SE1/4, 12.16 FEET (RECORD: N89°03'59"E, 12.12) TO A FENCE LINE; THENCE ALONG SAID FENCE LINE AS FOLLOWS: S25°29'00"E, 188.09 FEET (RECORD: S25°29'00"E, 185.93 FEET); S16°50'17"E, 25.21 FEET (RECORD: S17°18'22"E, 25.21 FEET); THENCE LEAVING SAID FENCE LINE, WEST, 761.20 FEET (RECORD: WEST 761.34) TO THE WEST LINE OF THE SW1/4NE1/4SE1/4 OF SAID SEC. 35; THENCE N00°44'11"W, ALONG THE WEST LINE OF SAID SW1/4NE1/4SE1/4, 180.91 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH A TRACT OF LAND CONVEYED IN DEED INSTRUMENT NO. 070521, AND IN PART "D" OF THAT CERTAIN BOUNDARY LINE AGREEMENT AND DEED RECORDED SEPTEMBER 20, 1989 IN BOOK 139, PAGE 435, GRANT COUNTY DEED RECORDS, DESCRIBED AS FOLLOWS: THAT PORTION OF THE NW1/4NE1/4SE1/4 OF SECTION 35, T.13S., R.31E., W.M., IN THE TOWN OF CANYON CITY, OREGON, WHICH LIES SOUTHWESTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING S88°58'35"W, 1254.86 FEET (RECORD: S88°57'05"W, 1254.86) FROM THE QUARTER CORNER BETWEEN SECTIONS 35 AND 36, BEING AN UNDISPUTED BLM 2 INCH GALVANIZED IRON PIPE WITH A 3/4 INCH BRASS CAP, AT A POINT WHICH IS THE INTERSECTION OF A FENCE LINE WITH THE EAST-WEST CENTER OF SECTION LINE AT A 5/8 INCH REBAR; THENCE S25°18'05"E, 567.07 FEET (RECORD: S25°19'43"E, 567.04) TO A 5/8 INCH REBAR FROM RECORD MAP OF SURVEY NO. 692; THENCE S67°29'51"E, 382.95 FEET (RECORD: S67°30'11"E, 382.75 FT.) TO A 5/8 INCH REBAR FROM SAID SURVEY; THENCE N89°03'59"E, 12.16 FEET (RECORD: N89°01'27"E, 12.12 FT.) TO THE NE CORNER OF THE HORRELL PROPERTY AS ESTABLISHED BY SAID MAP OF SURVEY NO. 692.

THIS PARTITION CONTAINS 7.10 ACRES.

I DO HEREBY DESIGNATE THE C-E1/16 CORNER OF SECTION 35 AS THE INITIAL POINT OF THIS LAND PARTITION.

BAGETT, GRIFFITH & BLACKMAN
PROFESSIONAL LAND SURVEYORS
217 N. CANYON BLVD.
JOHN DAY, OREGON 97845
541-575-1251

APPROVALS

APPROVED THIS 28 DAY OF March, 2007

Jim Kimballing
MALHEUR COUNTY SURVEYOR

APPROVED THIS 5th DAY OF April, 2007

Donald E. Moroney
MAYOR, TOWN OF CANYON CITY

APPROVED THIS 5 DAY OF April, 2007

Madeline F. Hoffmann
TOWN OF CANYON CITY PLANNING COMMISSION

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

Karen A. Officer, Deputy
GRANT COUNTY ASSESSOR & TAX COLLECTOR
DATE: 04.06.07

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 6 DAY OF April, 2007 AT 2:02 O'CLOCK P.M., AND RECORDED AS LAND PARTITION PLAT NO. 2007-06 GRANT COUNTY RECORDS.

Barbara J. Deputy
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 2007-06
M.C.S.
BAGETT-GRIFFITH AND BLACKMAN

1. RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS.

2. A PRIVATE EASEMENT, 30 FEET IN WIDTH, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO CALIFORNIA - PACIFIC UTILITIES COMPANY, A CORP., DATED JULY 19, 1947, RECORDED JULY 22, 1947, IN DEED BOOK 51, PAGE 95, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.

3. PRIVATE EASEMENT DEED, 10 FEET IN WIDTH, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO MID COUNTY CEMETERY DISTRICT, A MUNICIPAL CORP., DATED NOV. 8, 1971, RECORDED NOV. 9, 1971, IN DEED BOOK 107, PAGE 513, CONVEYING AN EASEMENT FOR A WATER LINE, AND INCIDENTAL PURPOSES, AS MORE PARTICULARLY DESCRIBED THEREIN. NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.

4. PRIVATE EASEMENT DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO MID COUNTY CEMETERY DISTRICT, A MUNICIPAL CORP., DATED MAY 2, 1973, RECORDED MAY 2, 1973, IN DEED BOOK 109, PAGE 854, CONVEYING AN EASEMENT FOR A WATER LINE, AND INCIDENTAL PURPOSES, AS MORE PARTICULARLY DESCRIBED THEREIN. 15 FEET IN WIDTH, AS SHOWN.

5. A PRIVATE EASEMENT, 15 FEET IN WIDTH, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO CALIFORNIA - PACIFIC UTILITIES COMPANY, A CORP., DATED OCTOBER 19, 1976, RECORDED OCTOBER 28, 1976, IN DEED BOOK 115, PAGE 661, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.

6. RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM JACK EASLEY AND MINNIE EASLEY, DATED OCT. 25, 1979, RECORDED NOV. 6, 1979 IN DEED BOOK 122, PAGE 51, TO-WIT: "GRANTORS RESERVE FOR THEMSELVES, THEIR HEIRS, SUCCESSORS AND ASSIGNS, THE RIGHT TO USE THE ROADWAY ESTABLISHED BY AND UPON THE ABOVE EASEMENTS". 60 FEET IN WIDTH, AS SHOWN.

7. TERMS AND PROVISIONS IN THAT CERTAIN PRIVATE EASEMENT FROM JACK EASLEY AND MINNIE EASLEY, HUSBAND AND WIFE, GRANTORS, TO SHANE HORRELL, HUSBAND AND WIFE, GRANTEE, DATED NOV. 28, 1984, RECORDED DEC. 4, 1984 IN DEED BOOK 131, PAGE 95, PURPOSE: RIGHT TO USE WATER FOR DOMESTIC USE. NO SPECIFIED WIDTH. NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.

8. EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

RECEIVED AND
FILED

APRIL 9, 2007
OFFICE OF COUNTY SURVEYOR

OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918

Robert D. Baggett
ATTEST: *James L. Hoffman*

EXPIRES: 6/30/2008

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I, JANICE C. WALTERS, TRUSTEE OF THE JANICE C. WALTERS TRUST, U/A/D JULY 7, 2004, DO HEREBY DECLARE THAT SAID TRUST IS THE OWNER OF THE LANDS DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND THAT SAID TRUST HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED PLAT.

SAID TRUST DOES HEREBY CREATE THE FOLLOWING EASEMENT: A PRIVATE ACCESS AND UTILITIES EASEMENT, OF VARIABLE WIDTH, OVER AND ACROSS A PORTION OF PARCEL 1 TO THE BENEFIT OF PARCEL 2, FOR THE PURPOSE OF UTILITIES AND INGRESS AND EGRESS TO THAT CERTAIN EASEMENT LEADING TO PATTERSON DRIVE AND EAST MAIN STREET, AS SAID EASEMENT IS DESCRIBED IN BOOK 122, PAGE 51, DEED RECORDS OF GRANT COUNTY, OREGON, AS SHOWN HEREON.

Janice C. Walters
JANICE C. WALTERS, TRUSTEE

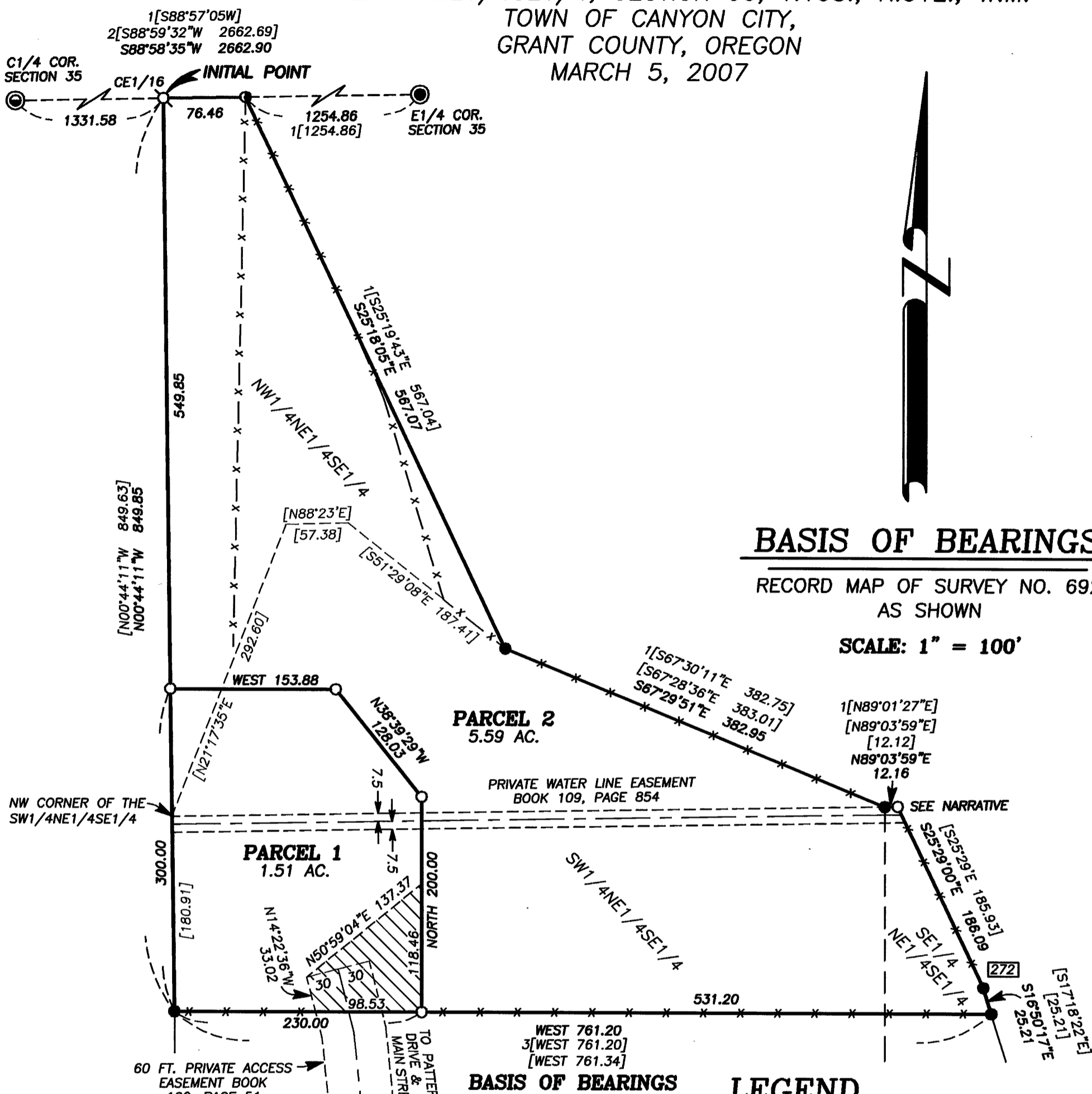
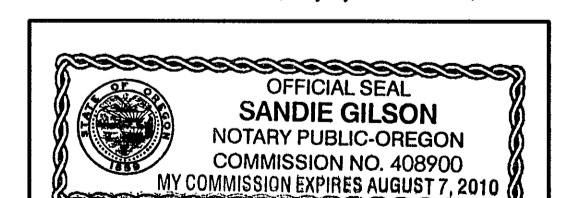
ACKNOWLEDGMENT

STATE OF OREGON SS
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 4.4, 2007, BY JANICE C. WALTERS, TRUSTEE OF THE JANICE C. WALTERS TRUST, U/A/D JULY 7, 2004

Sharon
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 8/17/2010



REFERENCES

RECORD MAP OF SURVEY NO.'S 286, 692, 1083 & 1593
RECORD LAND PARTITION NO. 2006-30
DEED RECORD INSTRUMENT NO. 960074, 041862 & 070521
DEED RECORD BOOK 139, PAGE 433
PRELIMINARY TITLE REPORT NO. 20045

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF JANICE WALTERS. THE PURPOSE OF THIS SURVEY WAS TO CREATE 2 PARCELS WITH THIS LAND PARTITION, AND TO MONUMENT THE 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 LOCATED THE APPURTENANT MONUMENTS FROM RECORD MAP OF SURVEY NO.'S 272, 286, 692, 1083 AND 1593. I ACCEPT THESE MONUMENTS, AS SHOWN HEREON.

I SET THE PIN ON THE EASTERLY BOUNDARY USING A BEARING-BEARING INTERSECT USING THE RECORD BEARING FROM SURVEY NO. 692. THE PIN FELL IN A FENCE LINE 0.04 FROM RECORD POSITION.

NEW MONUMENTS WERE SET IN ACCORDANCE WITH THE EVIDENCE FOUND AND AT POSITIONS APPROVED BY JANICE WALTERS, AS SHOWN HEREON.

SEE CORNER RESTORATION RECORDS FOR INFORMATION ON THE CE1/16 CORNER.

- LEGEND**
- FOUND 5/8" IRON PIN WITH ATTACHED 2" ALUMINUM CAP FROM SURVEY NO. 1593
 - FOUND 2" GALV. IRON PIPE WITH ATTACHED 3/4" BLM BRASS CAP FROM SURVEY NO. 286
 - FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGA SURVEY MARKER FROM RECORD SURVEY NO. 692 UNLESS OTHERWISE STATED.
 - FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGA SURVEY MARKER FROM RECORD SURVEY NO. 1083
 - SET 5/8"x30" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGA SURVEY MARKER
 - SET 5/8"x30" IRON PIN WITH ATTACHED ALUMINUM CAP MARKED BGA SURVEY MARKER & APPROPRIATE 1/16 CORNER DESIGNATIONS
 - [] RECORD BEARING AND DISTANCE FROM MAP OF SURVEY NO. 692
 - 1[] RECORD BEARING AND DISTANCE FROM MAP OF SURVEY NO. 1083
 - 2[] RECORD BEARING AND DISTANCE FROM MAP OF SURVEY NO. 1593
 - 3[] RECORD BEARING AND DISTANCE FROM LP 2006-30
 - x-x FENCE LINE
 - FOUND MONUMENT FROM RECORDED SURVEY NO. □ SURVEY NO. APPEARS IN BOX
 - ▨ NEW PRIVATE ACCESS AND UTILITIES EASEMENT, VARIABLE WIDTH