

LAND PARTITION PLAT NO. 2009-05
PARTITION REPLAT OF A PORTION OF PARCEL 1 OF LAND
PARTITION PLAT NO. 2006-07, LOCATED IN THE NE1/4 OF
SECTION 29, T.7S., R.31E., W.M., GRANT COUNTY, OREGON
ADMINISTRATIVE REVIEW-PAR-08-14
W.O. 09-3850

SURVEYOR'S CERTIFICATE

I, DAVID B. ARMSTRONG, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92, THE LANDS REPRESENTED ON THIS PLAT, SAID LANDS BEING A PORTION OF PARCEL 1 OF LAND PARTITION PLAT NO. 2006-07, LOCATED IN THE NORTHEAST ONE-QUARTER (NE1/4) OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 31 EAST OF THE WILLAMETTE MERIDIAN, GRANT COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF PARCEL 1 OF LAND PARTITION PLAT NO. 2007-08 LOCATED NORTH 00°28'08" EAST A DISTANCE OF 2464.00 FEET FROM THE SOUTH ONE-QUARTER CORNER OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 31 EAST, W. M., BEING THE INITIAL POINT OF THIS PLAT AND A POINT ON THE WEST LINE OF THE NORTHEAST ONE-QUARTER (NE1/4) OF SAID SECTION 29, THENCE NORTH 00°28'08" EAST ALONG SAID WEST LINE A DISTANCE OF 1453.14 FEET TO THE CENTERLINE OF THE RITTER-BONE POINT COUNTY ROAD NO. 19, AS-BUILT; THENCE ALONG SAID CENTERLINE ALONG THE FOLLOWING FOUR COURSES: SOUTH 71°43'55" EAST A DISTANCE OF 111.65 FEET; THENCE AROUND A 550.00 FEET RADIUS CURVE LEFT THROUGH A DELTA ANGLE OF 42°47'22" A DISTANCE OF 410.75 FEET, LONG CHORD BEARS NORTH 86°52'24" EAST, 401.27 FEET; THENCE NORTH 65°28'43" EAST A DISTANCE OF 173.48 FEET; THENCE AROUND A 250.00 FEET RADIUS CURVE RIGHT THROUGH A DELTA ANGLE OF 22°02'35" A DISTANCE OF 96.18 FEET, LONG CHORD BEARS NORTH 76°30'00" EAST, 95.59 FEET TO INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF THE JOHN DAY - PENDLETON HIGHWAY, U.S. 395; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE ALONG THE FOLLOWING FIVE COURSES: SOUTH 38°40'52" WEST A DISTANCE OF 180.52 FEET; THENCE AROUND A 766.20 FEET RADIUS CURVE LEFT THROUGH A DELTA ANGLE OF 27°42'12" A DISTANCE OF 370.47 FEET, LONG CHORD BEARS SOUTH 24°49'46" WEST, 366.87 FEET; THENCE NORTH 79°01'20" WEST A DISTANCE OF 20.00 FEET; THENCE AROUND A 786.20 FEET RADIUS CURVE LEFT THROUGH A DELTA ANGLE OF 13°52'48" A DISTANCE OF 190.46 FEET, LONG CHORD BEARS SOUTH 04°02'16" WEST, 189.99 FEET; THENCE SOUTH 02°54'08" EAST A DISTANCE OF 875.82 FEET TO A POINT LOCATED EAST OF THE POINT OF BEGINNING; THENCE WEST A DISTANCE OF 513.82 FEET TO THE POINT OF BEGINNING AND INITIAL POINT, CONTAINING 16.60 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY OF THE RITTER-BONE POINT COUNTY ROAD NO. 19.

THIS PARTITION IS SUBJECT TO THE FOLLOWING:

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

(2) ALL EASEMENTS AND RIGHTS OF WAY THAT EXIST, THAT MAY OR MAY NOT BE SHOWN IN THE PUBLIC RECORD.

(3) RESERVATIONS AND EXCEPTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN THE DEED FROM FIRST NATIONAL BANK OF PORTLAND (OREGON), A NATIONAL BANK ASSOCIATION, DATED JUNE 18, 1941, RECORDED JUNE 23, 1941, IN DEED BOOK 44, PAGE 557, TO-WIT: "RESERVING AND EXCEPTING ALL GAS, OIL AND MINERAL RIGHTS AND SUCH EASEMENTS AS MAY BE NECESSARY FOR THE REMOVAL OF SAID GAS, OIL AND MINERALS". NO EASEMENT IS PLOTTED.

(4) A PRIVATE EASEMENT TO CROSS THESE LANDS FOR THE PURPOSE OF REMOVING TIMBER FROM OTHER LANDS OF THE GRANTORS, INSTRUMENT NO. 201734, DEEDS OF GRANT COUNTY, OREGON. NO WIDTH IS GIVEN IN THE DEED. NOT PLOTTED DUE TO INSUFFICIENT DATA GIVEN IN THE DEED.

(5) RESERVATIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM PILOT ROCK LUMBER COMPANY, AN OREGON CORP., (NOW GEORGIA-PACIFIC CORP.), DATED OCT. 3, 1941, RECORDED OCTOBER 18, 1941, IN BOOK 45, PAGE 50, DEEDS OF GRANT COUNTY, OREGON, TO-WIT: "RESERVING, ALSO TO THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CROSS OVER SAID LAND FOR THE PURPOSE OF REMOVING TIMBER FROM OTHER LANDS THAT MAY BE OWNED BY THE GRANTOR, ITS SUCCESSORS AND ASSIGNS, WITH A RIGHT TO CONSTRUCT SUCH LOGGING ROADS AS MAY BE NECESSARY OR PROPER FOR REMOVAL OF TIMBER FROM SUCH LANDS." NO WIDTH OR LOCATION IS GIVEN IN THE DEED. NOT PLOTTED DUE TO INSUFFICIENT DATA GIVEN IN THE DEED.

SURVEYOR'S NARRATIVE

WE WERE EMPLOYED BY ERNEST R. AND CONNIE SHULTZ TO COMPLETE THE SURVEY AND PLAT REQUIREMENTS OF GRANT COUNTY ADMINISTRATIVE REVIEW-PAR-08-14 ON THEIR PROPERTY. SUBJECT PROPERTY IS A PORTION OF PARCEL 1 OF LAND PARTITION PLAT NO. 2006-07 AND HAS UNDERGONE SEVERAL PREVIOUS LAND USE ACTIONS. PARCEL 1 WAS CREATED BY RECORDATION OF LAND PARTITION PLAT NO. 2006-07 ON APRIL 27, 2006. PARCEL 1 WAS SUBSEQUENTLY MODIFIED BY BOUNDARY ADJUSTMENT TO ADJUST A PORTION OF THE PROPERTY TO PARCEL 2 OF LAND PARTITION PLAT NO. 2006-07 WHICH WAS SUBSEQUENTLY REPLATED IN LAND PARTITION PLAT NO. 2007-08 RECORDED APRIL 19, 2007. THESE PLATS WERE BOTH UNSURVEYED PARTITIONS. PARCEL 2 OF LAND PARTITION PLAT NO. 2007-08 WAS SURVEYED BY JACK WATSON, LS2734, AND FILED AS COUNTY SURVEY NO. 1838 ON APRIL 2, 2008. THIS SURVEY FOLLOWED THE LINES CREATED BY LAND PARTITION PLAT NO. 2007-08 ALSO PREPARED BY WATSON. THE CONTROL CREATED BY COUNTY SURVEY NO. 1838 WAS EXTENDED TO SURVEY PARCEL 1 OF LAND PARTITION PLAT NO. 2007-08 WHICH COMPLETED THE SURVEY OF THE SOUTH BOUNDARY OF THIS PLAT. THE WEST BOUNDARY OF THE PLAT WAS SURVEYED BY SURVEYING THE NORTH-SOUTH CENTERLINE OF SECTION 29 BETWEEN THE NORTH AND SOUTH 1/4 CORNERS AND INTERSECTING SAID LINE WITH THE RITTER-BONE POINT COUNTY ROAD NO. 19 AS-BUILT CENTERLINE. MY ANALYSIS OF THE DEEDS FOR THE SHULTZ PROPERTY MF 201734 AND ITS ADJOINER TO THE NORTH, LATEST DEED TO S. ALAN GILHAM, MF 200409520, WOULD INDICATE THE CENTERLINE OF THE COUNTY ROAD WAS THE INTENDED BOUNDARY BETWEEN THE PROPERTIES. THE COUNTY ROAD IS AN EASEMENT 60 FEET IN WIDTH CREATED BY THE GRANT COUNTY COURT RESOLUTION RECORDED COUNTY COURT JOURNAL 1 AT PAGE 311 ON JUNE 6, 1923. NO RESURVEY OF THE ROAD IS OF RECORD AND THE BEST EVIDENCE OF ITS LOCATION APPEARS TO BE THE AS-BUILT LOCATION OF THE ROADWAY AS IT CURRENTLY EXISTS. IN THE EVENT SAID ROADWAY WERE EVER VACATED IT APPEARS THE ROAD CENTERLINE WOULD BE THE NEW PROPERTY LINE AND SHOULD BE THE CURRENT PROPERTY BOUNDARY SUBJECT TO THE ROAD EASEMENT. I FEEL SOME CONFUSION WAS CREATED IN THE LAND PARTITION PLAT NO. 2006-07 WHICH SHOULD BE CORRECTED OR CLARIFIED BY THIS PLAT RECORDING. AT THE DIRECTION OF THE GRANT COUNTY SURVEYOR THE PLAT MONUMENTS WERE NOT SET ON THE ROAD CENTERLINE BUT WERE OFFSET ON THE APPARENT SOUTHERLY RIGHT OF WAY LINE 30 FEET FROM OUR SURVEYED CENTERLINE. THIS ALIGNMENT WAS INTERSECTED WITH THE WEST RIGHT OF WAY LINE OF U.S. HIGHWAY 395 WHICH IS THE EAST PLAT BOUNDARY. THIS HIGHWAY RIGHT OF WAY WAS NOT PREVIOUSLY MONUMENTED AND WAS SURVEYED BY SURVEYING INTO THE RIGHT OF WAY MONUMENTS ESTABLISHED BY ROBERT D. BAGETT, LS598, IN COUNTY SURVEY NO. 300. I THEN COMPARED THE ROAD RECORD ALIGNMENT WITH THE MONUMENTS ESTABLISHED BY WATSON IN COUNTY SURVEY NO. 1838 FINDING VERY GOOD AGREEMENT WITHIN 0.3 FEET. I THEREFORE TRANSLATED AND ROTATED THE ROAD RECORD ALIGNMENT TO MATCH THAT OF COUNTY SURVEY NO. 1838 AND EXTENDED THE RESULTING ALIGNMENT NORTHERLY TO THE PROJECT AREA. I THEN CHECKED THIS ALIGNMENT AGAINST THE AS-BUILT CENTERLINE OF THE PAVED HIGHWAY ADJACENT TO SUBJECT PROPERTY FINDING VERY GOOD AGREEMENT AS WELL, WITHIN 0.5 FEET. WE MONUMENTED THE WEST RIGHT OF WAY SO LOCATED FINDING SOME OF IT FALLS IN THE CHANNEL OF A BRANCH OF THE WEST FORK OF MEADOW BROOK CREEK. RESEARCH OF THE HIGHWAY RECORD WOULD INDICATE THAT SOME REFERENCE MONUMENTS WERE PLACED DURING THE ORIGINAL ROAD SURVEY. WE CONTACTED OREGON DEPARTMENT OF TRANSPORTATION WHO RESEARCHED THEIR FILES FOR INFORMATION ON THESE MONUMENTS; THEY FOUND NOTHING. NO MONUMENTS WERE FOUND AT THE APPROXIMATE POSITIONS INDICATED BY THE MAP WITH THE POSITIONS FALLING AT LOCATIONS SUBJECT TO DISTURBANCE. THIS SURVEY IS CONSISTENT WITH THE PROPERTY ACQUIRED BY ERNEST AND CONNIE SHULTZ UNDER DEED MF 201734. THE RESULTING PLAT ACREAGE OF 16.07 ACRES EXCLUDING THE COUNTY ROAD RIGHT OF WAY IS 8.55 ACRES LARGER BY SURVEY COMPARED TO THE CURRENT ASSESSOR'S RECORD OF 7.52 ACRES. THE ASSESSOR'S RECORDS NEED TO BE CORRECTED TO REFLECT THE ACTUAL LOCATION OF THE PROPERTY LINES IN THIS AREA. THIS SURVEY WAS COMPLETED USING A TRIMBLE 5700 GPS SYSTEM IN RTK MODE CALIBRATING ON THE MONUMENTS SHOWN FROM COUNTY SURVEY NO. 1838 WITH BEARINGS BASED ON THE WEST LINE OF THE EAST 1/2 OF SECTION 29 AS PER SAID SURVEY.

RECORDATION INFORMATION

STATE OF OREGON;
COUNTY OF GRANT;
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 29 DAY OF
April, 2009, AT 2:25 P.M.,
AND RECORDED AS LAND PARTITION NO.
2009-05

OF THE RECORDS OF SAID COUNTY,
WITNESS MY HAND AND SEAL OF COUNTY AFFIXED.
GRANT COUNTY CLERK
BY: [Signature] DEPUTY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

David B. Armstrong
4/03/09 OREGON
AUGUST 22, 1973
DAVID B. ARMSTRONG
1026

Renewal 12/3/09

DECLARATION AND DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT ERNEST R. SHULTZ AND CONNIE SHULTZ, HUSBAND AND WIFE, ARE THE OWNERS OF THE LANDS REPRESENTED ON THIS PLAT AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND HAVE CAUSED SAID LANDS TO BE SURVEYED AND PLATTED INTO PARCELS AS SHOWN HEREON IN ACCORDANCE WITH OREGON REVISED STATUTES, CHAPTER 92. THERE ARE NO WATER RIGHTS APPURTENANT TO THIS PROPERTY.

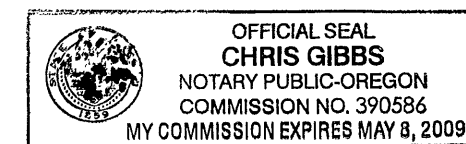
[Signature]
ERNEST R. SHULTZ

[Signature]
CONNIE SHULTZ

ACKNOWLEDGEMENT

KNOW ALL PEOPLE BY THESE PRESENTS THAT ON THIS 16 DAY OF April, 2009, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY OF UMATILLA, STATE OF OREGON, PERSONALLY APPEARED THE ABOVE NAMED ERNEST R. SHULTZ AND CONNIE SHULTZ, AND WHO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE FOREGOING DECLARATION AND DEDICATION FREELY AND VOLUNTARILY.

[Signature]
NOTARY PUBLIC FOR
THE STATE OF OREGON



TAX CERTIFICATES

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES, SPECIAL ASSESSMENTS, FEES, AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 2008-2009 TAX ROLL WHICH BECAME A LIEN OR WILL BECOME A LIEN ON THIS PARTITION DURING THIS TAX YEAR BUT NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION HAVE BEEN PAID TO ME.

[Signature] 04/29/2009
COUNTY ASSESSOR DATE

I HEREBY CERTIFY THAT ALL TAXES ARE PAID AS OF THIS DATE.

[Signature] 04/29/2009
COUNTY TAX COLLECTOR DATE

APPROVALS

[Signature] 4/29/09
GRANT COUNTY SURVEYOR DATE

[Signature] 4/29/09
GRANT COUNTY PLANNING DIRECTOR DATE

CS# _____
DATE REVIEWED 4/29/09
[Signature]
GRANT COUNTY SURVEYOR

I HEREBY CERTIFY THIS IS AN
EXACT COPY OF THE ORIGINAL PLAT.
4/03/09
David B. Armstrong
DAVID B. ARMSTRONG, LS1026

ARMSTRONG
surveying & engineering, inc.
established 1977
SHEET 2 OF 2
DRG. NO. 09-3850.DWG
W.O. 09-3850