

# LAND PARTITION PLAT NO. 2010-09

SITUATED IN THE NW1/4 SECTION 25, T.13S., R.31E., W.M.,  
CITY OF JOHN DAY, GRANT COUNTY, OREGON

## 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, THE LAND REPRESENTED AS SHOWN ON THIS PARTITION PLAT, SAID LAND BEING SITUATED IN THE NW1/4 SECTION 25, T.13S. R.31E., W.M., CITY OF JOHN DAY, GRANT COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT OF THIS LAND PARTITION, WHICH IS A 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "BENCHMARK SURVEYING" SAID POINT BEING SITUATED 945.05 FEET SOUTH AND 4228.72 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 25, SAID POINT ALSO BEING ON THE NORTHERLY RIGHT OF WAY LINE OF THE JOHN DAY HIGHWAY, U.S. HIGHWAY 26, 40 FEET DISTANT, WHEN MEASURED AT RIGHT ANGLES TO HIGHWAY CENTERLINE STATION 66+10.00;  
THENCE S.83°36'10"E., 299.20 ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID JOHN DAY HIGHWAY;  
THENCE, LEAVING SAID NORTHERLY RIGHT OF WAY LINE, N.06°23'50"E., 175.00 FEET TO THE SOUTH BANK OF THE JOHN DAY RIVER;  
THENCE SOUTHWESTERLY AND WESTERLY ALONG THE SOUTH BANK OF THE JOHN DAY RIVER A DISTANCE OF 320 FEET, MORE OR LESS TO A POINT THAT IS N.06°23'50"E. FROM THE POINT OF BEGINNING BEGINNING;  
THENCE, LEAVING THE SOUTH BANK OF SAID JOHN DAY RIVER, S06°23'50"W., 9 FEET, MORE OR LESS, TO A 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "BENCHMARK SURVEYING";  
THENCE, CONTINUING S06°23'50"W., 83.00 FEET THE POINT OF BEGINNING.

THIS PARTITION CONTAINS 34,230 SQUARE FEET (0.79 ACRES), MORE OR LESS.

## EASEMENTS

- RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
- PRIVATE EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO WEST COAST POWER COMPANY. RECORDED NOVEMBER 27, 1943 IN BOOK 46, PAGE 325. EASEMENT NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION. SAID EASEMENT HAS NO SPECIFIED WIDTH.
- PRIVATE EASEMENT INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO CALIFORNIA PACIFIC UTILITIES COMPANY, A CORP. RECORDED NOVEMBER 27, 1954 IN BOOK 71, PAGE 227. SAID EASEMENT BEING 8.0 FEET WIDE. THE LOCATION OF THIS EASEMENT, SHOWN HEREON, IS BASED ON THE SURVEYED LOCATION OF THE EXISTING POWER LINE.
- PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR FLOOD CONTROL. GRANTED TO GRANT COUNTY, OREGON A MUNICIPAL CORPORATION. RECORDED JULY 1, 1969 IN BOOK 101, PAGE 266. SAID EASEMENT HAS NO SPECIFIED WIDTH, BUT IS DESCRIBED AS BEING A STRIP OF LAND OF SUFFICIENT WIDTH ON EACH SIDE OF THE JOHN DAY RIVER FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF LEVEES AND INCIDENTAL FLOOD CONTROL WORKS APPURTENANT THERETO. EASEMENT NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.
- PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR FLOOD CONTROL. GRANTED TO GRANT COUNTY, OREGON A MUNICIPAL CORPORATION. RECORDED JULY 1, 1969 IN BOOK 101, PAGE 268. SAID EASEMENT HAS NO SPECIFIED WIDTH, BUT IS DESCRIBED AS BEING A STRIP OF LAND OF SUFFICIENT WIDTH ON EACH SIDE OF THE JOHN DAY RIVER FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE OF LEVEES AND INCIDENTAL FLOOD CONTROL WORKS APPURTENANT THERETO. EASEMENT NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.
- PRIVATE UTILITY EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR SEWER LINE. GRANTED TO THE CITY OF JOHN DAY, A MUNICIPAL CORPORATION. RECORDED JANUARY 6, 1978 IN BOOK 118, PAGE 145. THIS EASEMENT IS NOT SHOWN. THE EASEMENT IS LOCATED ON THE ADJACENT PROPERTY TO THE WEST OF PARCEL 1.
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*MCS*  
OREGON  
JULY 9, 2002  
MICHAEL C. SPRINGER  
#70918

EXPIRES: 6/30/2012

## APPROVALS

APPROVED THIS 22<sup>ND</sup> DAY OF SEPTEMBER, 2010.

*Rich S. Miller*  
DEPUTY UNION COUNTY SURVEYOR

APPROVED THIS 4<sup>TH</sup> DAY OF SEPTEMBER, 2010.

*Bob O. Smith* Mayor  
CITY OF JOHN DAY

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

*Jane R. Sutton*  
GRANT COUNTY ASSESSOR & TAX COLLECTOR  
DATE: 10/04/2010

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED  
ON THE 4 DAY OF October, 2010 AT  
1:00 O'CLOCK P.M. AND RECORDED AS LAND PARTITION  
PLAT NO. 2010-09 GRANT COUNTY RECORDS.

*Brian J. Jerny*  
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT  
COPY OF LAND PARTITION PLAT NO. 2010-09.  
*Michael C. Springer*  
BENCHMARK LAND SURVEYING

## NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF REUBEN JAMES DAVIS. THE PURPOSE OF THIS SURVEY WAS TO CREATE THREE PARCELS BY PARTITIONING THE TRACT OF LAND SHOWN HEREON.

THE CURRENT VESTING DEED FOR THE SUBJECT PROPERTY DESCRIBES THE NORTHERLY LINE OF THIS TRACT AS BEING "ALONG THE NORTH LINE OF THE WATSON TRACT". THE CURRENT DESCRIPTION WOULD PLACE THE NORTH LINE OF THE DAVIS' PROPERTY NORTH OF THE JOHN DAY RIVER.

THE WATSON TRACT WAS ORIGINALLY DESCRIBED IN DEED RECORD BOOK 70, PAGE 29. THE DESCRIPTION CLEARLY STATES THAT THE WATSON TRACT IS "...SITUATED BETWEEN THE SOUTH BANK OF THE JOHN DAY RIVER AND THE NORTHERLY RIGHT OF WAY LINE OF THE JOHN DAY HIGHWAY...". EVERY SUBSEQUENT DEED DESCRIPTION HAS ERRONEOUSLY OMITTED THE REFERENCE TO THE SOUTH BANK OF THE JOHN DAY RIVER. THE NORTH BOUNDARY OF THIS TRACT OF LAND IS THE SOUTH BANK OF THE RIVER, AS SHOWN HEREON. THERE IS NO EVIDENCE OF LINES OF OCCUPATION NORTH OF THE SOUTH BANK OF THE RIVER.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE EXISTING APPURTENANT MONUMENTS FROM RECORD SURVEY NO.'S 207 AND 1562. I ACCEPT THE FOUND MONUMENTS FROM SAID SURVEYS, AS SHOWN HEREON.

THE 1/2" IRON PIPE AT THE SOUTHEAST CORNER OF PARCEL 3 WAS SHOWN AS A 1/2" IRON PIN ON SURVEY MAP 207. THE PIPE MAY HAVE BEEN DRIVEN OVER THE PIN. THIS MONUMENT HAS LONG BEEN ACCEPTED AS BEING ADJACENT TO HIGHWAY RIGHT OF WAY STATION 69+10.00. THERE IS NO FORMAL RECORD OF WHEN THIS MONUMENT WAS SET, HOWEVER THE PIPE HAS BEEN ACCEPTED AS FAR BACK AS 1970. I DID NOT SET A NEW MONUMENT AT THE CALCULATED CORNER POSITION FOR THE SOUTHEAST CORNER OF PARCEL 3. THE POSITION OF THE 1/2" PIPE IS WELL DOCUMENTED AND I FEEL NO ADDITIONAL MONUMENTATION IS NECESSARY.

WE SET NEW MONUMENTS IN ACCORDANCE WITH THE EVIDENCE FOUND AND AT LOCATIONS APPROVED BY MR. DAVIS. IT WAS NECESSARY TO SET OFFSET MONUMENTS AT THE NORTH-WEST CORNER OF PARCEL 1 AND THE NORTHWEST CORNER OF PARCEL 3 DUE TO THE CONDITION OF THE RIVERBANK IN THESE AREAS.

## DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I REUBEN JAMES DAVIS, TRUSTEE OF THE ELIZABETH DAVIS REVOCABLE LIVING TRUST U/D/T FEBRUARY 23, 2009 DO HEREBY DECLARE THAT SAID TRUST IS THE OWNER OF THE LAND 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.

*Reuben James Davis*  
REUBEN JAMES DAVIS, TRUSTEE.

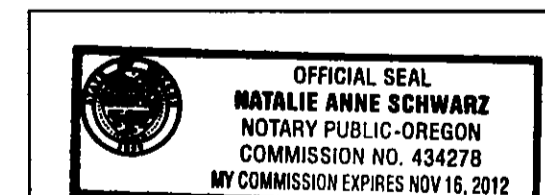
## ACKNOWLEDGMENT

STATE OF Oregon  
COUNTY OF Washington SS

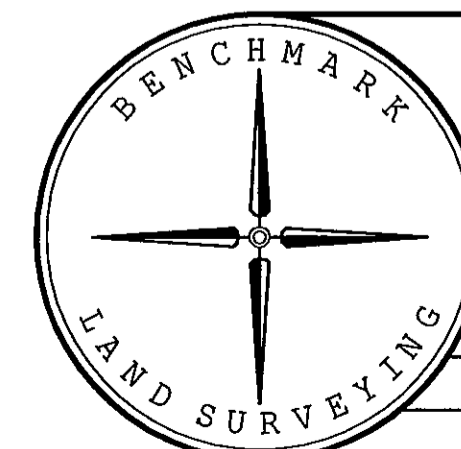
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Sept. 29, 2010,  
BY REUBEN JAMES DAVIS, TRUSTEE.

*Natalie Anne Schwarz*  
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES Nov. 16, 2012



SHEET 2 OF 2



BENCHMARK LAND SURVEYING  
217 N. CANYON BLVD. JOHN DAY, OREGON  
2101 MAIN STREET, STE 223 BAKER CITY, OREGON  
541-575-1251 ~ 800-699-0516

LAND PARTITION  
SITUATED IN THE NW1/4 SECTION 25,  
T.13S., R.31E., W.M.,  
CITY OF JOHN DAY, GRANT COUNTY, OREGON

SURVEYED FOR	ELIZABETH DAVIS REVOCABLE LIVING TRUST	DATE SURVEYED 9/14/2010
SURVEYED BY	MCS & JLH	
Scale: 1"=30'	Drawn by: MCS	