

## EASEMENTS

1. RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
2. RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF. GRANTOR MARY E. GROVE, A WIDOW. RECORDED SEPTEMBER 13, 1941, BOOK 45, PAGE 22. TO-WIT "RESERVING HOWEVER TO THE GRANTOR, HER HEIRS AND ASSIGNS, THE RIGHT TO USE THE WELL UPON THE PREMISES FOR IRRIGATION AND DOMESTIC PURPOSES AND FULL RIGHTS OF INGRESS TO AND EGRESS FROM THE SAID WELL." NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.
3. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP. RECORDED JULY 30, 1947, BOOK 51, PAGE 160. 30 FEET IN WIDTH. NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.
4. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP. RECORDED AUGUST 14, 1951, BOOK 63, PAGE 407. DESCRIPTION STATES THAT EASEMENT IS 20 FEET IN WIDTH AND ALSO 40 FEET IN WIDTH. APPROXIMATE LOCATION SHOWN HEREON.
5. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR AN EASEMENT IN COMMON FOR INGRESS AND EGRESS. GRANTED TO JOSEPH C. OLIVER AND ARLENE OLIVER, HUSBAND AND WIFE. RECORDED FEBRUARY 7, 1962, BOOK 86, PAGE 293. NO SPECIFIED WIDTH. NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.
6. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP. RECORDED JULY 15, 1966, BOOK 95, PAGE 111. THIS EASEMENT WAS CANCELED AND IS SUPERSEDED BY THE EASEMENT RECORDED IN BOOK 95, PAGE 355.
7. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP. RECORDED SEPTEMBER 22, 1966, BOOK 95, PAGE 355. 10 FEET IN WIDTH. NOT SHOWN DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.
8. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR ELECTRIC POWER OR TELEPHONE LINES. GRANTED TO CALIFORNIA-PACIFIC UTILITIES COMPANY. RECORDED APRIL 6, 1977, BOOK 108, PAGE 61. 30 FEET IN WIDTH. APPROXIMATE LOCATION SHOWN HEREON.
9. PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. GRANTED TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP. RECORDED OCTOBER 5, 1978, BOOK 119, PAGE 809. 30 FEET IN WIDTH. APPROXIMATE LOCATION SHOWN HEREON.
10. PERMANENT PRIVATE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR PERMANENT EASEMENT FOR SLOPES, WATER, GAS, ELECTRIC AND COMMUNICATION SERVICE LINES, FIXTURES AND FACILITIES GRANTED TO STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION. RECORDED OCTOBER 24, 1991, INSTR. NO. 911912. 35 FEET IN WIDTH. APPROXIMATE LOCATION SHOWN HEREON.
11. EASEMENTS, RIGHTS OF WAY OR RESERVATIONS AS THE SAME MAY EXIST OR EXIST OR APPEAR OF RECORD.

## BOUNDARY REFERENCES

RECORD MAP OF SURVEY NO.'S 163, 923, 932 & 1052  
RECORD LAND PARTITION PLAT NO. 2011-04  
DEED RECORD INSTRUMENT NO.'S 952145, 212967, 062533  
PRELIMINARY TITLE REPORT ORDER NO. 22500



## NARRATIVE

THIS LAND PARTITION WAS PERFORMED AT THE REQUEST OF JEFF JOHNSON, ACTING ON BEHALF OF RUDIO MOUNTAIN LIMITED PARTNERSHIP. THE PURPOSE OF THIS LAND PARTITION WAS TO CREATE TWO PARCELS AND TO SURVEY PARCEL 2, AS SHOWN HEREON.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE EXISTING MONUMENTS FROM LAND PARTITION PLAT NO. 2011-04 AND RECORD SURVEY NO. 932. I ALSO LOCATED THE S1/4 CORNER OF SECTION 22, AS PER GRANT COUNTY CORNER RESTORATION RECORDS. I ACCEPT THE FOUND APPURTENANT MONUMENTS FROM THESE SURVEYS, UNLESS OTHERWISE STATED IN THIS NARRATIVE.

I RECOVERED SEVERAL OF THE MONUMENTS ALONG THE SOUTHERLY RIGHT OF WAY LINE OF HIGHWAY 26 AND FOUND MOST OF THEM TO BE IN THEIR RECORD POSITIONS. I DID FIND THE MONUMENTS AT STATIONS 402+46.04 (40 FT. RIGHT) AND AT 402+00.00 (40 FT. RIGHT) TO BE OUT OF POSITION, AS SHOWN HEREON. THE TWO PINS ARE SITUATED ON A STEEP CUT BANK AND ARE DOWN HILL FROM THEIR RECORD POSITIONS. DAN BISHOP OF D.R. JOHNSON LUMBER COMPANY INFORMED ME THAT AT ONE TIME THERE WAS A POND LOCATED UP HILL FROM THE CUT BANK. HE SAID THE WATER CONTINUOUSLY LEACHED FROM THE POND AND KEPT THE BANK BELOW SATURATED. I BELIEVE THE COMBINATION OF UNSTABLE SOIL, SATURATION AND THE STEEPNESS OF THE BANK ALL CONTRIBUTED TO THE PINS MIGRATING DOWN HILL.

I DO NOT ACCEPT THE FOUND PINS AT STATIONS 402+46.04 (40 FT. RIGHT) AND AT 402+00.00 (40 FT. RIGHT) AS BEING ON THE RIGHT OF WAY LINE. I SET NEW MONUMENTS AT RECORD POSITIONS ACCORDING TO THE EVIDENCE FOUND.

THE MONUMENTED EAST LINE OF PARCEL 2 IS TO BE COINCIDENT WITH THE WEST LINE OF THE MCDONALD'S LEASE SITE. ALL NEW MONUMENTS WERE SET IN ACCORDANCE WITH THE EVIDENCE FOUND AND AT LOCATIONS APPROVED BY MR. JOHNSON.

I DID NOT SURVEY THE ENTIRE BOUNDARY OF THIS PARTITION. THE LOCATIONS OF ALL UNSURVEYED ROADS AND EASEMENTS ARE APPROXIMATE. THE UNSURVEYED LINES AND AREAS SHOWN HEREON ARE APPROXIMATE AND MAY CHANGE UPON THE EXECUTION OF A COMPLETE SURVEY OF THIS PROPERTY.

## APPROVALS

APPROVED THIS 14<sup>TH</sup> DAY OF OCTOBER, 2011.

Rich G. Johnson  
DEPUTY UNION COUNTY SURVEYOR

APPROVED THIS 31<sup>ST</sup> DAY OF October, 2011.

Helary McNary by Thomas J. J. J.  
GRANT COUNTY PLANNING DIRECTOR

APPROVED THIS 31<sup>ST</sup> DAY OF October, 2011.

Bob O'Neil  
MAYOR, CITY OF JOHN DAY

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

Jane R. Burton  
GRANT COUNTY ASSESSOR & TAX COLLECTOR  
DATE: 11/01/2011

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 1 DAY OF November, 2011 AT 10:15 O'CLOCK A.M. AND RECORDED AS LAND PARTITION PLAT NO. 2011-04 GRANT COUNTY RECORDS.

Shelby McClellan  
GRANT COUNTY CLERK, Deputy

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

Michael C. Springer  
BENCHMARK LAND SURVEYING

# LAND PARTITION PLAT NO. 2011-04

BEING A PARTITION OF PARCEL 1 OF LAND PARTITION NO. 2011-04  
SITUATED IN THE SE1/4 SECTION 22, T.13S., R.31E., W.M.,  
GRANT COUNTY, OREGON  
(A PORTION OF THIS LAND PARTITION IS WITHIN THE CITY LIMITS OF JOHN DAY)

## 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, PARCEL 2 OF THIS LAND PARTITION AND THAT I DID NOT SURVEY THE ENTIRE BOUNDARY OF THIS LAND PARTITION. A PORTION OF THIS LAND PARTITION IS WITHIN THE CITY LIMITS OF JOHN DAY. SAID LAND PARTITION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LAND IN THE SE1/4 SECTION 22, T.13S., R.31E., W.M., GRANT COUNTY, OREGON, DESCRIBED AS FOLLOWS:

PARCEL 1 OF LAND PARTITION NO. 2011-04, THE PLAT OF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE COUNTY CLERK OF GRANT COUNTY OREGON.

I DO HEREBY DESIGNATE THE S1/4 CORNER OF SAID SECTION 22 AS THE INITIAL POINT OF THIS LAND PARTITION.

SAID PARTITION CONTAINING 21.9 ACRES, MORE OR LESS.

## DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT RUDIO MOUNTAIN LIMITED PARTNERSHIP, AN OREGON LIMITED PARTNERSHIP, DOES HEREBY DECLARE THAT SAID PARTNERSHIP IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN HEREON.

SAID PARTNERSHIP DOES HEREBY CREATE THE FOLLOWING EASEMENT:

A PRIVATE 15 FOOT WIDE POWER LINE EASEMENT. SAID EASEMENT BEING OVER AND ACROSS A PORTION OF PARCEL 2 AND IS TO THE BENEFIT OF PARCEL 1, AS SHOWN HEREON.

Rod Johnson  
ROD JOHNSON, PRESIDENT

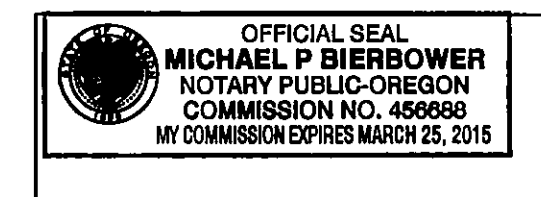
### ACKNOWLEDGMENT

STATE OF OREGON SS  
COUNTY OF DOUGLAS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 10/28, 2011, BY ROD JOHNSON, PRESIDENT OF RUDIO MOUNTAIN LIMITED PARTNERSHIP.

Michael P. Baird  
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 3/25/2015

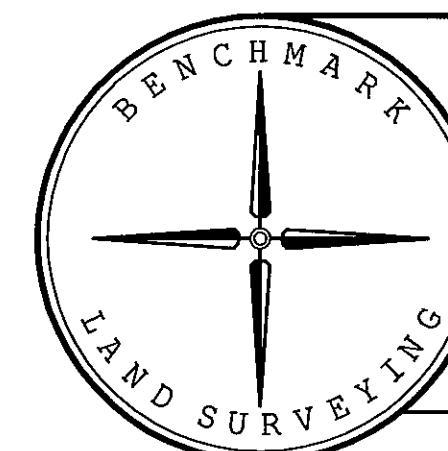


SHEET 2 OF 2

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

BEING A PARTITION OF PARCEL 1 OF LAND PARTITION NO. 2011-04  
SITUATED IN THE SE1/4 SECTION 22, T.13S., R.31E., W.M.,  
GRANT COUNTY, OREGON  
(A PORTION OF THIS LAND PARTITION IS WITHIN THE CITY LIMITS OF JOHN DAY)

SURVEYED FOR	RUDIO MOUNTAIN LIMITED PARTNERSHIP	
SURVEYED BY	MCS & JH	DATE SURVEYED
Scale: 1"=100'	Drawn by: MCS	9/15/2011



RECEIVED AND FILED  
GRANT COUNTY SURVEYOR

NOV 1 2011

BY: Michael C. Springer