

LAND PARTITION PLAT NO. 92-2
Situated in the SW1/4 Section 23
Twp. 13 S., Rng. 31 E., W.M.
City of John Day
GRANT COUNTY, OREGON

SURVEYOR'S CERTIFICATE

STATE OF OREGON SS
COUNTY OF GRANT

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 division of Parcel No. 2 of Land Partition No. 91-5, as shown on Land Partition Plat No. 91-5 recorded in the Office of the Grant County Clerk, situated in the NE1/4NW1/4SW1/4 and the NW1/4NE1/4SW1/4 of Section 23, Twp. 13S., R. 31E., W.M., City of John Day, Grant County, Oregon, described as follows: Beginning at the a 5/8"x30" iron pin, which monument I designate to be the Initial Point for this Land Partition, said point being identical with the southeast corner of said Parcel No. 2, of Land Partition No. 91-5, said point also being 652.78 feet South and 1362.33 feet East from the West 1/4 Corner of said Section 23, thence S. 89° 41' 00" W., 48.68 feet, to the SE corner of the NE1/4NW1/4SW1/4 of said section 23; thence S. 89° 41' 00" W., along the south line of said NE1/4NW1/4SW1/4, a distance of 658.04 feet to the southwest corner of said NE1/4NW1/4SW1/4; thence N. 00° 22' 08" E., along the west line of said NE1/4NW1/4SW1/4, a distance of 541.34 feet, to a point on the southerly right of way line of NW Bridge Street; thence easterly along said right of way line as follows: 74.92 feet along the arc of a 665.00 foot radius curve left, (the long chord of which bears S. 89° 33' 22" E., 74.88 feet); N. 87° 13' 00" E., 122.99 feet; 237.12 feet along the arc of a 675.00 foot radius curve right, (the long chord of which bears S. 82° 43' 11" E., 235.90 feet); S. 72° 39' 22" E., 127.55 feet; 42.16 feet along the arc of a 115.00 foot radius curve right, (the long chord of which bears S. 62° 09' 17" E., 41.92 feet); thence N. 38° 20' 48" E., crossing said street, 50.00 feet, to a point on the northeasterly right of way line of said NW Bridge Street; thence leaving said right of way line, N. 58° 00' 00" E., 44.62 feet to a point on the east line of the NE1/4NW1/4SW1/4, of said section 23; thence S. 00° 32' 10" W., along the east line of said NE1/4NW1/4SW1/4, a distance of 134.17 feet; thence S. 74° 30' 00" W., 115.00 feet; thence S. 8° 45' 00" E., 100.00 feet; thence N. 77° 30' 00" E., 95.09 feet to the westerly right of way line of said NW Bridge Street; thence S. 9° 52' 23" E., along said right of way line, 279.15 feet, to the point of beginning.

SUBJECT TO: The right of way of NW Bridge Street. Containing 7.70 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Bagett
OREGON
JULY 12, 1983
ROBERT D. BAGETT
598

BAGETT-GRIFFITH AND ASSOCIATES
217 N. Canyon Blvd.
John Day, Oregon

APPROVALS

Approved this 6TH day of APRIL, 1992.

Jack W. Burris
Wallowa County Surveyor

Approved this 8TH day of April, 1992.

William H. Diet
City of John Day Planning Commission

I do hereby certify that this plat was received on the 16TH day of April, 1992 at 1:38 o'clock P.M., and recorded as Partition Plat No. 92-2 Grant County Records.

Carol Vaigt
Grant County Clerk

Affidavit of consent to declaration of property being partitioned

recorded in Instrument No. 910653 Deed records.

I do hereby certify that this photocopy is a true and exact copy of Land Partition Plat No. 92-2, as filed with this office.

Carol Vaigt
County Clerk

I do hereby certify that this photocopy is a true and exact copy of Land Partition Plat No. 92-2.

Robert D. Bagett
Bagett - Griffith & Associates

DECLARATION

Know all men by these presents that we, Tom M. Kerns and Joyce A. Kerns, husband and wife depose and say that we are the owners of the lands described in the Surveyor's Certificate, and that we caused the same to be partitioned into parcels in accordance with the provisions of ORS 92. SAID PARCELS SUBJECT TO THE FOLLOWING CONDITIONS: (1) Right of way easement for utilities and incidental purposes, no specified width, to West Coast Power Co., recorded in Book 43, Page 215, deed records. (2) Access easement 16 feet in width to Errol O. Wilde, recorded in Book 107, page 709, deed records. (3) Right of way easement for utilities and incidental purposes, 20 feet in width for sewer line easement, to City of John Day, recorded in Book 107, page 971, deed records. (4) Easements for utilities, over, under and across the premises included within the boundaries of NW Bridge Street, vacated by Ordinance No. 82-32-4 of the City of John Day, recorded in Book 127, page 586, deed records, if any such exist. (5) Easement to accommodate garage eaves which encroach onto subject property from adjoining property, to Richard P. Davis and Agnes V. Davis, Husband and wife, recorded in Book 127, page 585, deed records. (6) Any and all matters, including easements and assessments, if any, pertaining to the Trowbridge Irrigation Ditch. (7) The right of way of NW Bridge Street, 50 feet in width. (8) The new water and sewer line easement, shown between Parcels 1 and 2, to permit ingress and egress and construction and maintenance of said water and sewer lines for use of the owners of said Parcels 1 and 2; and that we do for ourselves, our heirs and assigns, hereby dedicate, donate, and convey to the public, for public use forever, the storm drain easements shown hereon, and described as follows: Easement A: A storm drain easement over Parcel 2 for the purpose of maintenance of a storm drain along the existing Trowbridge Ditch, with appurtenances necessary and convenient thereto, said easement being 20 feet in width, 10 feet on each side of the centerline of said ditch. Easement B: A storm drain easement over Parcel No. 2, as follows; a perpetual easement for construction and maintenance of a storm drain ditch and pipeline and appurtenances necessary and convenient thereto, on, over, and under a strip of land 10 feet in width, 5 feet on each side of the centerline, with an additional 5 foot wide easement on each side of said centerline for the purpose of access and use during construction of the drainline, such additional 10 foot easement to be only for the duration of construction of said drainline. Easement C: A storm drain easement over Parcel No. 2, as follows; a perpetual easement for construction and maintenance of a storm drain ditch and pipeline and appurtenances necessary and convenient thereto, on, over, and under a strip of land 10 feet in width, 5 feet on each side of the centerline, with an additional 5 foot wide easement on each side of said centerline for the purpose of access and use during construction of the drainline, such additional 10 foot easement to be only for the duration of construction of said drainline.

Tom M. Kerns
Tom M. Kerns

Joyce A. Kerns
Joyce A. Kerns

ACKNOWLEDGEMENT

STATE OF OREGON SS
COUNTY OF GRANT

Be it remembered that on this 8TH day of April, 1992, personally appeared before me Tom M. Kerns and Joyce A. Kerns, husband and wife, who are known to me to be the identical persons described in and who executed the above instrument and who acknowledged to me that they executed the same freely and voluntarily.

In witness whereof, I have hereunto set my hand and affixed my official seal this 8TH day of April, 1992.

Robert D. Bagett



STATEMENT OF WATER RIGHTS

Water Right Certificate No. 25786 is appurtenant to this partition.