

LAND PARTITION PLAT NO. 94-06

SITUATED IN THE NE1/4 SEC. 13 AND THE NE1/4 SEC. 24,
T13S, R26E, AND SEC. 17; AND SEC. 18; AND SEC.19;
AND THE NE1/4, SE1/4, NW1/4 SEC.30, T13S, R27E, W.M.
GRANT COUNTY, OREGON

AUGUST, 1994

DECLARATION

Know all people by these presents that Robert W. Johnson and Clarice Kelley and Dayville Construction Inc., an Oregon Corporation, and ECR, a Washington Non-Profit Corporation, and Eddie Smith and Janice Smith, husband and wife, do hereby declare that they are the owners of the lands described in the Surveyor's Certificate, and that they have caused the same to be partitioned into parcels in accordance with the provisions of ORS Chapter 92, as shown on the annexed map.

SAID PARCELS ARE SUBJECT TO THE FOLLOWING:

- (1) Rights of the public in streets and roads.
- (2) Any and all matters, including easements and assessments, if any, pertaining to irrigation ditches.
- (3) Any and all matters, including easements and assessments, if any, pertaining to the Cummings Water Ditch Serving Corporation.
- (4) The right of way of County Road No. 42, including recorded deeds: Book 40, Page 394; Book 43, Page 590; Book 43, Page 591, 60 feet wide.
- (5) Deed, conveying a right in the Cummings Ditch of record in Book 35, Page 500, Deed Records.
- (6) An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., dated January 30, 1947, recorded January 30, 1947, in Book 49 Page 331, Deed Records of Grant County, Oregon. Right of way easement for utility and incidental purposes, no specified width.
- (7) An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., dated May 10, 1955, recorded May 10, 1955, in Book 72, page 252, Deed Records of Grant County, Oregon, Right of way easement for utility and incidental purposes, 16 feet wide.
- (8) Reservation, including the terms and provisions thereof, in deed from Ronald J. Sutphin, dated September 24, 1981, recorded September 24, 1981, in Deed Book 125, Page 355, to wit: "Reserving unto the Grantor one-half (1/2) of all mineral rights".
- (9) Right of Way Grant and Use Permit, serial number OR-49623 including the terms and provisions thereof, 25 feet in width, issued by Bureau of Land Management to Dayville Construction, Inc., over the NE1/4NE1/4 Section 25, T.13S., R.26E., in instrument dated July 19, 1993, recorded August 16, 1993, as instrument No. 931454, Deed Records of Grant County, Oregon.
- (10) Assignment and Joint Easement wherein Dayville Construction, Inc. assigns to ECR, a Washington non-profit corporation, an interest in the right of way grant, serial number OR-49623, including the terms and provisions thereof, in instrument dated August, 19, 1993, recorded August 19, 1993 as instrument No. 931500, Deed Records of Grant County, Oregon.
- (11) U.S. Government Patent Mineral Reservations of record.
- (12) Reservation and exception in deed of record in Book 36 Page 430-431, Deed Records, and in deed of record in Book 41 Page 597, Deed Records.
- (13) Any easements, rights of way, and reservations, as the same may exist or appear of record.

ACKNOWLEDGEMENT

STATE OF OREGON SS
COUNTY OF GRANT

This instrument was acknowledged before me on August 22, 1994,
by Robert W. Johnson.

Janice A. Smith
Notary Public for Oregon
My Commission Expires 4-21-96

Dayville Construction Inc., an Oregon Corporation

By: Richard Smith By: Holly Smith
Richard Smith, President Holly Smith, Secretary

ECR, a Washington non-profit corporation

By: Roy D. Wilson
Roy D. Wilson, Vice President

Eddie Smith
Eddie Smith

Janice Smith
Janice Smith

ACKNOWLEDGEMENT

STATE OF IDAHO SS
COUNTY OF TETON

This instrument was acknowledged before me on Aug 16, 1994,
by Clarice Kelley

Brenda Frankel
Notary Public for Idaho
My Commission Expires 3-98

ACKNOWLEDGEMENT

STATE OF OREGON SS
COUNTY OF GRANT

This instrument was acknowledged before me on Aug 3, 1994,
by Richard Smith, as President and by Holly Smith, as Secretary of
Dayville Construction, Inc., an Oregon Corporation, on behalf of said corporation.

Carlene M. Johnston
Notary Public for Oregon
My Commission Expires 3-2-98

ACKNOWLEDGEMENT

STATE OF OREGON SS
COUNTY OF GRANT

This instrument was acknowledged before me on Aug 2, 1994,
by Roy D. Wilson as Vice President of ECR, a Washington non-profit corporation,
on behalf of said corporation.

Robert D. Baggett
Notary Public for Oregon
My Commission Expires Aug 22, 1994

ACKNOWLEDGEMENT

STATE OF OREGON SS
COUNTY OF GRANT

This instrument was acknowledged before me on AUG 24, 1994,
by Eddie Smith and Janice Smith, husband and wife.

Carlene M. Johnston
Notary Public for Oregon
My Commission Expires 3-2-98

APPROVALS

Approved this 15 day of AUGUST, 1994.

Jack W. Burris
Wallowa County Surveyor

Approved this 18 day of AUGUST, 1994

Robert T. Wheeler
Grant County Planning Commission

All ad valorem and special assessments due
pursuant to law have been assessed and collected.

Lane S. Burton
Grant County Assessor and Tax Collector
Date: 9-9-94

I do hereby certify that this plat was received
on the 15 day of SEPT, 1994 at 4:00 o'clock
P.M., and recorded as Partition Plat No. 94-06
Grant County Records.
Kathy McKeon
Grant County Clerk

I do hereby certify that this photocopy is a true
and exact copy of Land Partition Plat No. 94-06, as
filed with this office.
Kathy McKeon
County Clerk

SURVEYOR'S CERTIFICATE

I, Robert D. Baggett, Professional Land Surveyor, registered in the State of Oregon, hereby
certify that I have shown the unsurveyed parcels on this partition plat, described as
follows:

Beginning at the southeast corner of Section 30, T.13S., R.27E., W.M., Grant County, Oregon;
thence North, along the east line of the SE1/4SE1/4 and the NE1/4SE1/4 of said Section
30, 2640 feet, more or less, to the northeast corner of said NE1/4SE1/4; thence West, along
the north line of said NE1/4SE1/4 of said Section 30, 1320 feet, more or less, to the northwest
corner of said NE1/4SE1/4; thence North, along the east line of the SW1/4NE1/4, 1320 feet,
more or less, to the northeast corner of said SW1/4NE1/4; thence West, along the north line
of said SW1/4NE1/4, 1320 feet, more or less, to the northwest corner of said SW1/4NE1/4;
thence North, along the east line of the NE1/4NW1/4 of said Section 30, 1320 feet, more or
less, to the northeast corner of said NE1/4NW1/4; thence East, along the south line of the
SW1/4SE1/4 of Section 19, 1320 feet, more or less, to the southeast corner of said SW1/4SE1/4
of said Section 19; thence North, along the east line of said SW1/4SE1/4, 1320 feet, more or
less, to the northeast corner of said SW1/4SE1/4; thence West, along the north line of said
SW1/4SE1/4, 1320 feet, more or less, to the northwest corner of said SW1/4SE1/4; thence
North, along the east line of the NE1/4SW1/4 of said Section 19, 1320 feet, more or less, to
the northeast corner of said NE1/4SW1/4; thence East, along the south line of the SW1/4NE1/4,
1320 feet, more or less, to the southeast corner of said SW1/4NE1/4; thence North, along the
east line of the SW1/4NE1/4 and the NW1/4NE1/4, 2640 feet, more or less, to the northeast
corner of said NW1/4NE1/4, of said Section 19; thence East, along the south line of the
SE1/4SE1/4 of Section 18, 1320 feet, more or less, to the southeast corner said Section 18;
thence East, along the south line of Section 17, 5280 feet, more or less, to the southeast
corner of said Section 17; thence North, along the east line of said Section 17, 5280 feet,
more or less, to the northeast corner of said Section 17; thence West, along the north line
of said Section 17, 5280 feet, more or less, to the northwest corner of said Section 17;
thence West, along the north line of Section 18, 5346 feet, more or less, to the northwest
corner of said Section 18 and the northeast corner of Section 13, T.13S., R.26E.; thence
South, along the west line of Government Lot 1 of said Section 18, 1040 feet, more or less,
to a point on the easterly right of way line of County Road No.42; thence southwesterly along said
easterly right of way line 400 feet, more or less, to a point on the north line of the SE1/4NE1/4
of said Section 13; thence West, along the north line of the SE1/4NE1/4 of said Section 13, 1080
feet, more or less, to the northwest corner of said SE1/4NE1/4; thence South, along the
west line of said SE1/4NE1/4, 1320 feet, more or less, to the southwest corner of said
SE1/4NE1/4; thence East, along the south line of the SE1/4NE1/4 of said Section 13, 540.4
feet, more or less, to a point which is 779.6 feet west of the southeast corner of said
SE1/4NE1/4; thence N.12°22'W., 145.0 feet; thence N.56°31'E., 150.0 feet; thence S.88°32'E.,
280.0 feet; thence S.82°00'E., 182.0 feet; thence S.27°48'E., 44.0 feet; thence S.64°18'E.,
66.0 feet; thence S.05°55'E., 133.8 feet, more or less, to the south line of said SE1/4NE1/4 of
said Section 13; thence East, along the south line of said SE1/4NE1/4, 149.6 feet, more or
less, to the southeast corner of the SE1/4NE1/4 of said Section 13 and the southwest corner
of Government Lot 2 of Section 18, T.13S., R.27E.; thence East, along the south line of said
Government Lot 2, 1373 feet, more or less, to the northwest corner of the E1/2SW1/4 of said
Section 18; thence South, along the west line of said E1/2SW1/4, 2640 feet, more or less, to
the southwest corner of said E1/2SW1/4 of said Section 18; thence West, along the north line
of Government Lot 1 of Section 19, 1360 feet, more or less, to the northwest corner of said
Section 19 and the northeast corner of Section 24, T.13S., R.26E.; thence West, along the
north line of the N1/2NE1/4 of said Section 24, 2640 feet, more or less, to the northwest
corner of said N1/2NE1/4; thence South, along the west line of the N1/2NE1/4 and the
S1/2NE1/4, 2640 feet, more or less, to the southwest corner of said S1/2NE1/4; thence East,
along the south line of said S1/2NE1/4, 2640 feet, more or less, to the southeast corner of
the S1/2NE1/4 of said Section 24 and the southwest corner of Government Lot 2 of Section 19,
T.13S., R.27E.; thence East, along the south line of said Government Lot 2, 1372 feet, more
or less, to the southeast corner of said Government Lot 2 of said Section 19; thence South,
along the west line of the NE1/4SW1/4, 1320 feet, more or less, to the southwest corner of
said NE1/4SW1/4; thence West, along the north line of Government Lot 4, 1377 feet, more or
less, to the northwest corner of said Government Lot 4; thence South, along the west line of
said Government Lot 4, 1320 feet, more or less, to the southwest corner of said Section 19;
thence South, along the west line of Government Lot 1 of Section 30, 1340 feet, more or less,
to the southwest corner of said Government Lot 1; thence East, along the south line of said
Government Lot 1, 1375 feet, more or less, to the southeast corner of said Government Lot 1;
thence South, along the west line of the SE1/4NW1/4 of said Section 30, 1320 feet, more or
less, to the southwest corner of said SE1/4NW1/4; thence East, along the south line of said
SE1/4NW1/4, 1320 feet, more or less, to the southeast corner of said SE1/4NW1/4; thence
South, along the west line of the NW1/4SE1/4 and the SW1/4SE1/4, 2640 feet, more or less, to
the southwest corner of said SW1/4SE1/4; thence East, along the south line of the SW1/4SE1/4 and
the SE1/4SE1/4, 2640 feet, more or less, to the point of beginning.

Said tract containing 2125 acres, more or less.

BAGETT, GRIFFITH AND ASSOCIATES
John Day, Oregon

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Robert D. Baggett
OREGON
JULY 12, 1993
ROBERT D. BAGETT
598
Renewal Date 12/31/94