

LAND PARTITION PLAT NO. 97-13

SITUATED IN THE SE1/4SE1/4 SECTION 31, T12S, R34E;
AND IN THE SW1/4 SECTION 4; AND IN SECTION 5; AND IN THE
NE1/4 AND SE1/4 SECTION 6; AND IN SECTION 8; AND IN THE
NE1/4 AND NW1/4 SECTION 17, T13S, R34E, W.M.
GRANT COUNTY, OREGON

March 22, 1997

DECLARATION

Know all people by these presents that we, Stephen C. Zinsmeister and Charlene Zinsmeister, husband and wife, do hereby declare we are the owners of the lands described in the Surveyor's Certificate, and that we have caused the same to be partitioned into parcels in accordance with the provisions of ORS Chapter 92, as shown hereon.

We do hereby grant the following easement:

1) A private utility easement, variable width, over Parcel 1, for an existing septic line and leach field, as shown hereon.

We do hereby reserve the following easements:

1) A private access easement, 30 feet in width, across Parcel 2 for the purpose of ingress and egress to Parcel 1, as shown hereon.

2) A private irrigation ditch easement, 20 feet in width, across Parcel 2, for the purpose of irrigation ditch and maintenance of said ditch, as shown hereon.

SAID PARCELS ARE SUBJECT TO THE FOLLOWING:

(1) Rights of the public in streets, roads and highways.

(2) A public Right of Way deed, including the terms and provisions thereof, to Grant County, Oregon, dated July 28, 1922, recorded February 2, 1925 in Book 35, Page 555, for road right of way, 60 feet in width. Note: Affects lands in the E1/2SE1/4 and SW1/4SE1/4 of Section 6, T13S, R34E, W.M. This easement is not plotted on the map due to insufficient data given in the deed.

(3) Reservation and exception, including the terms and provisions thereof, as shown in deed from Eastern Oregon Land Company, a corporation of the State of California, dated December 14, 1925, recorded April 19, 1926 in Book 36 Page 351, deeds, to wit: "RESERVING AND EXCEPTING, however, to the grantor, its successors and assigns, the use of all the surface ground necessary to access and for the purpose of exploring, developing or working of the mines or valuable underground deposits of Minerals, or Oils, of whatsoever nature; also all the gold, silver, copper, iron or minerals of whatsoever name or nature; and all the coal, mineral oils or vegetable oils, or oils of any name or nature, or salt or saline springs, or springs of any name or nature, excepting waters which are now known to exist or may hereafter be discovered in or upon the said land, SUBJECT, however, to the condition that the Grantor herein shall pay to the Grantees, or successors, a proportionate rebate of the sale price for any lands recalled for minerals etc. value upon demand for recall." NOTE: Affects lands in Section 31, T12S, R34E, W.M., as said lands are described in said deed.

(4) A private easement, including the terms and provisions thereof, to Prairie Power Company, an Oregon Corporation, dated May 2, 1927, recorded May 9, 1927, in Book 37, Page 84, deeds. For the perpetual right to maintain where the same is now situated a certain line of poles and wires for transmission of electric current over and across the following described lands of the grantors, to-wit: the W1/2W1/2 of Section 8, T13S, R34E, W.M. No width is specified, this easement is not plotted on the map due to insufficient data given in the deed.

(5) A private easement, including the terms and provisions thereof, to West Coast Power Company, a Delaware Corporation, dated November 7, 1939, recorded November 7, 1939, in Book 43, Page 451, deeds. For utility and incidental purposes. Note: Affects lands in the NW1/4SW1/4 and SW1/4NW1/4 of Section 8, T13S, R34E, W.M. No width is specified, this easement is not plotted on the map due to insufficient data given in the deed.

(6) A private right of way easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corporation, dated August 22, 1951, recorded August 28, 1951, in Book 63, Page 469, deeds, 40 feet in width, for utility and incidental purposes. Note: Affects land in the E1/2 of Section 6, and in the NW1/4 of Section 5, T13S, R34E, W.M. This easement is not plotted on the map due to insufficient data given in the deed.

(7) A private right of way easement, including the terms and provisions thereof, to C. P. National Corporation, a corporation, dated September 20, 1979, recorded December 7, 1979, in Book 122, Page 177, deeds, 30 feet in width, for utility and incidental purposes. Located as shown hereon.

Stephen C. Zinsmeister
Stephen C. Zinsmeister

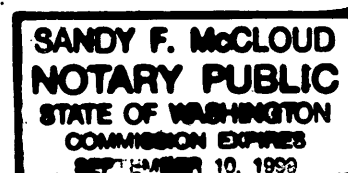
Charlene Zinsmeister
Charlene Zinsmeister

ACKNOWLEDGEMENT

STATE OF Washington }
COUNTY OF Clark } SS

This instrument was acknowledged before me on this 24 day of April, 1997, by Stephen C. Zinsmeister and Charlene Zinsmeister, husband and wife.

Sandy F. McCloud
Notary Public of Oregon
My commission expires: 9-10-99



I do hereby certify that this is a true and exact copy of Land Partition No. 97-13

Mary Moulton
Grant County Clerk, Deputy

I do hereby certify that this is a true and exact copy of Land Partition No. 97-13

Jack L. Watson
Jack L. Watson, PLS

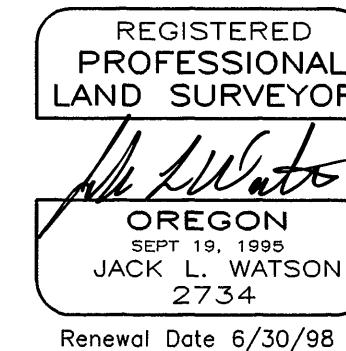
SURVEYOR'S CERTIFICATE

I, Jack L. Watson, 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 Parcel 1 was not surveyed during this partition process. This partition is situated in the SE1/4SE1/4 of Section 31, T12S, R34E; and in the SW1/4 of Section 4; and all of Section 5; and in the NE1/4 and SE1/4 of Section 6; and all of Section 8; and in the NE1/4 and the NW1/4 of Section 17, T13S, R34E, W.M., Grant County, Oregon, described as follows:

Beginning at the SE corner of Section 8, T13S, R34E, which is a 1-1/2" iron pipe with attached Grant County Surveyor brass cap. I designate the SE corner of Section 8 to be the Initial Point of this land partition; thence N89°40'28"W, along the south line of Section 8, 1450 feet, more or less, to the southwesterly side of the County Road; thence S32°00'W, 1560 feet, more or less, to the south line of the N1/2NE1/4 of Section 17; thence West, along the south line of the N1/2NE1/4 of Section 17, 390 feet, more or less, to the SW corner of said N1/2NE1/4; thence North, along the west line of the N1/2NE1/4 of Section 17, 200 feet; thence N80°00'W, 148.50 feet; thence N54°13'36"W, 1490 feet, more or less, to a point which is due south of a point 1300 feet east of the SW corner of Section 8; thence North, 110 feet, more or less, to the centerline of the John Day River; thence northwesterly, down stream along the centerline of the John Day River, 270 feet, more or less, to the south line of Section 8; thence West, along the south line of Section 8, 1050 feet, more or less, to the SW corner of said Section 8; thence North, along the west line of Section 8, 5280 feet, more or less, to the NW corner of said Section 8; thence West, along the south line of the SE1/4 of Section 6, 2640 feet, more or less, to the SW corner of said SE1/4; thence North, along the west line of the SE1/4 of Section 6, 1150 feet, more or less, to the south re-located right of way line of U.S. Highway 26; thence northeasterly, along the re-located right of way line of U.S. Highway 26, 6250 feet, more or less, to the east line of Section 31, T12S, R34E; thence South, along the east line of Section 31, 953 feet, more or less, to the SE corner of said Section 31; thence East, along the north line of Section 5, T13S, R34E, 5280 feet, more or less, to the NE corner of said Section 5; thence South, along the east line of Section 5, 2640 feet, more or less, to the NW corner of the SW1/4 of Section 4; thence East, along the north line of the SW1/4 of Section 4, 2640 feet, more or less, to the NE corner of said SW1/4; thence South, along the east line of the SW1/4 of Section 4, 2640 feet, more or less, to the SE corner of said SW1/4; thence West, along the south line of the SW1/4 of Section 4, 2640 feet, more or less, to the NE corner of Section 8; thence South, along the east line of Section 8, 5280 feet, more or less, to the to the point of beginning.

Said tract containing 1685 acres, more or less.

Cornerstone Surveying, Inc.
233 S. Canyon Blvd.
John Day, Or. 97845
(541) 575-1813



NARRATIVE

This survey was performed at the request of Steve Zinsmeister. The purpose of this survey was to partition Mr. Zinsmeister's property into 2 parcels.

After searching the available records pertaining to this survey, I found that several corners of Section 8 have been remonumented. Also a survey of County Road No. 61 was made, although no rights of way were obtained that conform to the survey, which included areas for cuts and fills.

I found and tied the S1/4 corner and N1/4 corner and the SE corner of Section 8, as shown hereon. After contacting the Grant County road supervisor, Jim Walker, we concluded that the county has a prescriptive right of way easement only. Mr. Zinsmeister selected and approved the location of the boundaries for Parcel 2.

The boundaries of Parcel 1 of this partition plat are intended to conform to the descriptions as they are described in Instrument No.'s 930414, 941154 and 941655, deeds. These descriptions have several ambiguous calls which were not resolved, and were outside the scope of this survey. None of the questions arising from these ambiguous deed calls will affect the surveyed boundaries of Parcel 2.

This survey was performed with a Topcon GTS-4 total station, with a closed loop random traverse.

APPROVALS

Approved this 9th day of April, 1997.

Robert O. Bess
Grant County Surveyor

Approved this 22nd day of April, 1997.

James A. Casper
Grant County Planning Commission

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

James L. Burton 04-22-97
Grant County Assessor and Tax Collector

RECEIVED AND
FILED

APR 25 1997

James L. Burton
Grant County Assessor and Tax Collector

I do hereby certify that this plat was received on the 22 day of April, 1997 at 4:30 o'clock P.M., recorded as Land Partition Plat No. 97-13 Grant County Records.

Mary Moulton
Grant County Clerk