

# LAND PARTITION PLAT NO. 98-07

SITUATED IN THE E1/2E1/2 SECTION 12  
T.13S., R.26E., W.M.  
GRANT COUNTY, OREGON

JANUARY 27, 1998

## DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT GEORGE R. BEGGS, INC., A CALIFORNIA CORPORATION, DOES HEREBY ACKNOWLEDGE THAT SAID CORPORATION HAS CAUSED THE LANDS DESCRIBED IN THE SURVEYOR'S CERTIFICATE TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED MAP.

SAID PARCELS SUBJECT TO THE FOLLOWING:

1. A. UNPATENTED MINING CLAIMS.  
B. RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.  
C. WATER RIGHTS, CLAIMS OR TITLE TO WATER;  
WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B) OR (C) ARE SHOWN BY THE PUBLIC RECORDS.
2. RIGHTS OF THE PUBLIC IN STREETS, ROADS, AND HIGHWAYS.
3. RIGHTS OF THE PUBLIC AND GOVERNMENTAL BODIES IN AND TO ANY PORTION OF THE PREMISES HEREIN DESCRIBED, NOW OR AT ANY TIME LYING BELOW HIGH WATER MARK OF THE SOUTH FORK OF THE JOHN DAY RIVER INCLUDING ANY OWNERSHIP RIGHTS WHICH MAY BE CLAIMED BY THE STATE OF OREGON, AS TO ANY PORTION NOW OR AT ANY TIME BELOW THE HIGH WATER MARK.
4. ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT:  
(A) SAID LAND OR ANY PART THEREOF IS NOW OR AT ANY TIME HAS BEEN BELOW THE ORDINARY HIGH WATER MARK OF THE SOUTH FORK OF THE JOHN DAY RIVER.  
(B) SOME PORTION OF SAID LAND HAS BEEN CREATED BY ARTIFICIAL MEANS OR HAS ACCRETED TO SUCH PORTION SO CREATED.  
(C) SOME PORTION OF SAID LAND HAS BEEN BROUGHT WITHIN THE BOUNDARIES THEREOF BY AN AVULSIVE MOVEMENT OF THE SOUTH FORK OF THE JOHN DAY RIVER, OR HAS BEEN FORMED BY ACCRETION TO ANY SUCH PORTION.

5. SUCH RIGHTS AND EASEMENTS FOR NAVIGATION AND FISHING AS MAY EXIST OVER THAT PORTION OF THE PROPERTY LYING NOW OR AT ANY TIME BENEATH THE WATERS OF THE SOUTH FORK OF THE JOHN DAY RIVER.

6. RESERVATION AND EXCEPTION, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN DEED FROM EASTERN OREGON LAND COMPANY, A CORPORATION, DATED JUNE 24, 1926, RECORDED JULY 10, 1926 IN DEED BOOK 36, PAGE 430, 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 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 WATER, 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 GRANTEE, OR SUCCESSOR, A PROPORTIONATE REBATE OF THE SALE PRICE FOR ANY LANDS RECALLED FOR MINERAL, ETC., VALUE UPON DEMAND FOR RECALL."

NOTE: AFFECTS THE N1/2, N1/2S1/2, S1/2SW1/4 OF SEC. 11; NE1/4NE1/4 OF SEC. 13, T.13S., R.26 E., W.M.

7. WARRANTY DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE CITY OF DAYVILLE, OREGON, A MUNICIPAL CORPORATION, DATED APRIL 30, 1937, RECORDED JAN. 20, 1938, IN DEED BOOK 42, PAGE 300.

8. EASEMENT APPURTENANT, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS RESERVED IN DEED FROM E. E. ROOPE DATED MARCH 31, 1941, RECORDED FEB. 15, 1945, IN DEED BOOK 47, PAGE 379, TO-WIT: "RESERVING TO THE GRANTOR ANY AND ALL RIGHTS IN ANY DITCH OR DISTRIBUTION SYSTEM HERETOFORE USED FOR THE BENEFIT OF THE E1/2E1/2 OF SEC. 12, TWP. 13S., R. 26E., W.M., AND ESPECIALLY THE CUMMINGS DITCH WHICH HAS BEEN OWNED AND OPERATED BY THE GRANTOR FOR A GREAT NUMBER OF YEARS AS A PUBLIC UTILITY."

9. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP., RECORDED DECEMBER 17, 1946, IN BOOK 49, PAGE 255, DEED RECORDS FOR GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).

10. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO CALIFORNIA-PACIFIC UTILITIES COMPANY, A CORP., RECORDED JANUARY 21, 1947, IN BOOK 49, PAGE 309, DEED RECORDS FOR GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).

11. ANY AND ALL MATTERS, INCLUDING EASEMENTS AND ASSESSMENTS, IF ANY, PERTAINING TO IRRIGATION DITCHES.

12. ANY AND ALL MATTERS, INCLUDING EASEMENTS AND ASSESSMENTS, IF ANY, PERTAINING TO THE CUMMINGS DITCH WATER SERVING CORPORATION, BY REASON OF THAT CERTAIN DEED RECORDED SEPT. 16, 1958 IN DEED BOOK 79, PAGE 455.

DECLARATION CONT.

13. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE CITY OF DAYVILLE, RECORDED NOVEMBER 23, 1970, IN BOOK 104, PAGE 541, DEED RECORDS FOR GRANT COUNTY, OREGON. A RIGHT OF WAY FOR A ROAD 20 FEET IN WIDTH ALONG AN EXISTING ROAD AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE E1/2SE1/4 OF SEC. 12, TWP. 13S., R. 26 E., W.M.; THENCE DUE WEST APPROXIMATELY 3300 FEET TO THE ROAD LEADING TO GUION SPRING; SAID ROAD BEING SITUATED IN THE E1/2SE1/4 OF SAID SEC. 12; SAID ROAD TO BE USED BY THE CITY AND CITY EMPLOYEES ONLY AND NOT BY THE GENERAL PUBLIC. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).

14. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE CITY OF DAYVILLE, A MUNICIPAL CORP., RECORDED JUNE 20, 1973, IN BOOK 110, PAGE 69, DEED RECORDS FOR GRANT COUNTY, OREGON. AN EASEMENT ON, OVER AND UNDER A 16.00 FOOT WIDE STRIP OF LAND, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SEC. 1, TWP. 13 S., R. 26 E., W.M.; THENCE WESTERLY 45.0 FEET, ALONG THE SOUTH LINE OF SEC. 1, TO A POINT ON LINE WITH THE WESTERLY BOUNDARY OF SOUTH FORK ROAD RIGHT OF WAY, THE TRUE POINT OF BEGINNING FOR THE CENTERLINE DESCRIPTION OF A STRIP OF LAND 16.00 FEET IN WIDTH, THE CENTERLINE OF SAID STRIP BEING DESCRIBED AS FOLLOWS: THENCE N.88°34'49"W. 1322.66 FEET; THENCE S88°34'49"E. 8.00 FEET; THENCE SOUTH 32.0 FEET; ACCORDING TO PLAT ATTACHED THERETO.

15. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO CP NATIONAL CORPORATION, A CORP., RECORDED DECEMBER 29, 1980, IN BOOK 124, PAGE 14, DEED RECORDS FOR GRANT COUNTY, OREGON. RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, 30 FEET IN WIDTH. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).

*Sonny Field*  
SONNY FIELD, PRESIDENT  
GEORGE R. BEGGS, INC.,  
A CALIFORNIA CORPORATION

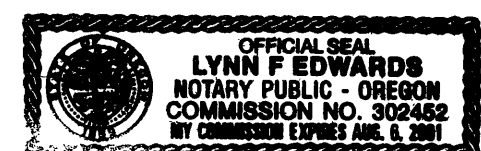
ACKNOWLEDGEMENT

STATE OF OREGON

COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Feb. 12, 1998  
BY SONNY FIELD AS PRESIDENT OF GEORGE R. BEGGS, INC., A CALIFORNIA CORPORATION.

*Lynn F. Edwards*  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES 8/6/2001



## SURVEYOR'S CERTIFICATE

I, ROBERT D. BAGETT, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SHOWN THE UNSURVEYED PARCELS ON THIS PARTITION PLAT, BEING SITUATED IN GRANT COUNTY, OREGON, SAID PARTITION BEING DESCRIBED AS FOLLOWS:

TWP. 13 S., R. 26 E., W. M.:

SEC. 12: NE1/4NE1/4;

ALL THAT PORTION OF THE SE1/4NE1/4 AND THE NE1/4SE1/4 AND THE SE1/4SE1/4 LYING EASTERLY OF COUNTY ROAD NO. 42

EXCEPTING THEREFROM, COUNTY ROAD NO. 42 RIGHT OF WAY.

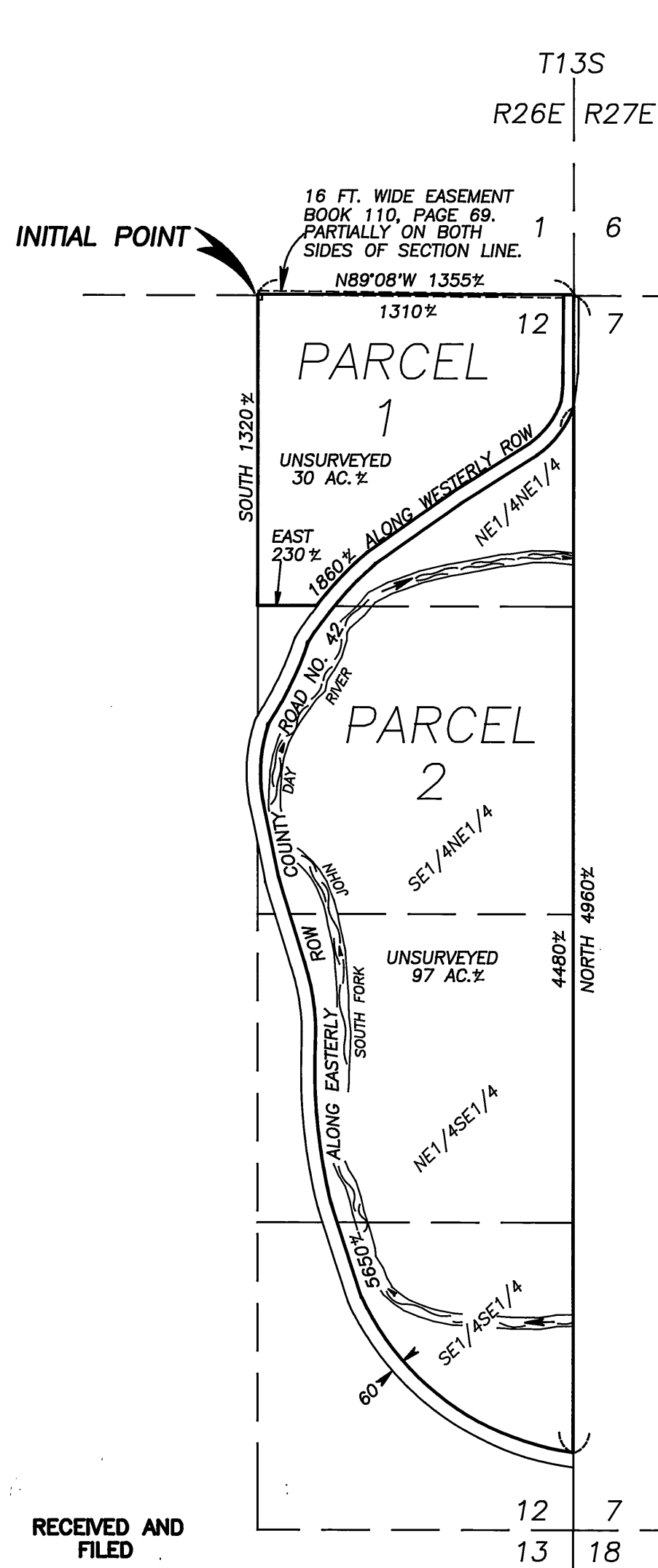
SAID TRACT CONTAINING 127 ACRES, MORE OR LESS.

BAGETT-GRIFFITH AND BLACKMAN  
217 NORTH CANYON BLVD.  
JOHN DAY, OREGON 97845  
PH. (541) 575-1251

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

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

Renewal Date 12/31/99



NOTES:

(1) THE SECTION AND SECTION SUBDIVISIONAL LINES SHOWN ARE PROTRACTED FOR GENERAL INFORMATION ONLY.

(2) THE DIMENSIONS ALONG THE SECTION AND SECTION SUBDIVISIONAL LINES ARE BASED ON RECORD DATA.

(3) THE LOCATION OF THE COUNTY ROAD AND RIVER ARE APPROXIMATE.

(4) THE HIGH WATER LINE AND 100 YEAR FLOOD HAZARD FOR THE SOUTH FORK OF THE JOHN DAY RIVER HAVE NOT BEEN DETERMINED.

## APPROVALS

APPROVED THIS 2nd DAY OF FEB., 1998.

*Jack W. Burris*  
WALLOWA COUNTY SURVEYOR

APPROVED THIS 3rd DAY OF Feb, 1998.

*John A. Lambert*  
GRANT COUNTY PLANNING COMMISSION

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

*John A. Lambert*  
GRANT COUNTY ASSESSOR AND TAX COLLECTOR  
DATE: 02-03-98

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 18 DAY OF February, 1998 AT 3:30 CLOCK P.M., AND RECORDED AS PARTITION PLAT NO. 98-07 GRANT COUNTY RECORDS.

*Alice Ash*  
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 98-07

*Robert D. Bagett*  
BAGETT-GRIFFITH AND BLACKMAN

RECEIVED AND  
FILED

FEB 12, 1998  
OFFICE OF COUNTY SURVEYOR

*Robert D. Bagett*  
ATTEST: *Alice Ash* Deputy Clerk