

LAND PARTITION PLAT NO. 98-19

SITUATED IN THE SW1/4 AND SE1/4 OF SEC. 10, AND IN SEC. 15,
AND IN THE NE1/4 AND SE1/4 OF SEC. 19, AND IN THE SW1/4
AND NW1/4 OF SEC. 20, AND IN THE SW1/4 AND SE1/4 OF SEC. 21,
AND IN SEC. 22, AND IN THE NW1/4 AND NE1/4 OF SEC. 27,
AND IN THE NW1/4 AND NE1/4 OF SEC. 28, AND IN SEC. 29,
AND IN THE NE1/4 AND SE1/4 OF SEC. 30,
T.11S., R.26E., W.M.

GRANT COUNTY, OREGON

MARCH 25, 1998

SURVEYOR'S CERTIFICATE

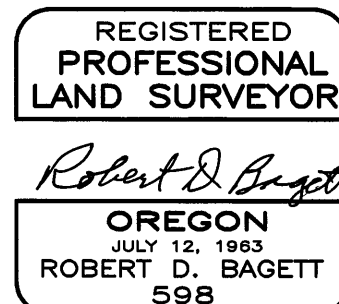
I, ROBERT D. BAGETT, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE SHOWN THE UNSURVEYED PARCELS ON THIS PARTITION PLAT, BEING SITUATED IN GRANT COUNTY, OREGON, SAID PARTITION BEING DESCRIBED AS FOLLOWS:

TWP. 11 S., R. 26 E., W.M., GRANT COUNTY, OREGON:

SECTION 10: E1/2SW1/4; S1/2SE1/4.
SECTION 15: NE1/4; N1/2NW1/4; S1/2SW1/4; W1/2SE1/4.
SECTION 19: ALL THAT PORTION OF THE E1/2E1/2 LYING EASTERLY OF THE JOHN DAY RIVER.
SECTION 20: SE1/4NW1/4; N1/2NE1/4SW1/4; AND ALL THAT PORTION OF THE SW1/4NW1/4 AND W1/2SW1/4 LYING EASTERLY OF THE JOHN DAY RIVER, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, BY DEED DATED OCTOBER 25, 1962, RECORDED OCTOBER 31, 1962 IN BOOK 87, PAGE 568, DEED RECORDS, FOR THE THOMAS CONDON-JOHN DAY FOSSIL BEDS STATE PARK, AND DESCRIBED IN SAID DEED AS PARCELS NO.1 AND 2;
SECTION 21: SW1/4SW1/4; E1/2SW1/4; NW1/4SE1/4; E1/2SE1/4.
SECTION 22: N1/2NE1/4; SE1/4NE1/4; NE1/4NW1/4; S1/2.
SECTION 27: N1/2N1/2.
SECTION 28: NE1/4NE1/4; NW1/4.
SECTION 29: S1/2NE1/4; N1/2S1/2; NW1/4; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 870.79 FEET NORTH AND 530.63 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 20, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT B, PARCEL 8 OF A DEED FROM THE STATE OF OREGON TO THE UNITED STATES OF AMERICA, DATED JULY 17, 1975, AND RECORDED JULY 18, 1975 IN DEED BOOK 113, PAGE 341, IN THE CLERK'S OFFICE OF GRANT COUNTY, STATE OF OREGON;
THENCE ALONG SAID TRACT B THE THREE FOLLOWING METES AND BOUNDS: N.86°24'E., 250.00 FEET; N.9°12'10"E., 225.61 FEET, AND; S.86°24'W., 30.00 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT B; THENCE, LEAVING SAID TRACT B IN A NORTHEASTERLY DIRECTION, THE FIVE FOLLOWING METES AND BOUNDS: N.39°45'35"E., 141.57 FEET; N.35°54'54"E., 266.64 FEET; N.36°11'09"E., 200.15 FEET; N.49°50'57"E., 188.41 FEET, AND; S.78°05'13"E., 30.00 FEET TO A POINT ON THE WEST LINE OF THE S1/2NE1/4SW1/4 OF SAID SECTION 20; THENCE SOUTH, 1708.01 FEET TO THE SOUTHWEST CORNER OF THE SE1/4SW1/4 OF SAID SECTION 20; THENCE NORTHWEST 1172.81 FEET IN A STRAIGHT LINE TO THE POINT OF BEGINNING.
SECTION 30: SW1/4SW1/4; E1/2SW1/4; NW1/4SE1/4; E1/2SE1/4.
SECTION 31: N1/2NE1/4; SE1/4NE1/4; NE1/4NW1/4; S1/2.
SECTION 32: N1/2N1/2.
SECTION 33: NE1/4NE1/4; NW1/4.
SECTION 34: S1/2NE1/4; N1/2S1/2; NW1/4; SAVE AND EXCEPT THAT PORTION CONVEYED TO THE UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE, DESCRIBED AS FOLLOWS: THE NE1/4NW1/4, SEC. 29, T.11 S., R.26 E., W.M.
SECTION 35: E1/2SE1/4, AND ALL THAT PORTION OF THE NE1/4 LYING EASTERLY OF THE JOHN DAY RIVER, SAVE AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, BY DEED DATED DECEMBER 9, 1940, RECORDED JANUARY 9, 1941 IN BOOK 44, PAGE 339, DEED RECORDS OF GRANT COUNTY, OREGON, FOR RIGHT OF WAY.

SAID TRACT CONTAINING 2350 ACRES, MORE OR LESS.

BAGETT-GRIFFITH AND BLACKMAN
217 N. CANYON BLVD.
JOHN DAY, OREGON
PHONE (541) 575-1251



RECEIVED AND
FILED

MAY 26, 1998
OFFICE OF COUNTY SURVEYOR

Robert D. Bagett
ATTEST: Alice Thresh

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 98-19.

Robert D. Bagett
BAGETT, GRIFFITH & BLACKMAN

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT MICHAEL S. WISCAVAGE, INDIVIDUALLY, AND ELIZABETH A. WISCAVAGE, INDIVIDUALLY, DO HEREBY CERTIFY THAT WE HAVE 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:

- A. EASEMENTS, LIENS, ENCUMBRANCES, INTERESTS OR CLAIMS THEREOF WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.
B. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF.
- 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.
- 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 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.
- 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 HIGHWATER MARK 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 JOHN DAY RIVER, OR HAS BEEN FORMED BY ACCRETION TO ANY SUCH PORTION.
- 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 JOHN DAY RIVER.
- EXCEPTIONS AND RESERVATIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN THE FOLLOWING PATENTS FROM THE UNITED STATES OF AMERICA:
(A) DATED JUNE 15, 1926, RECORDED SEPT. 27, 1926 IN BOOK 36, PAGE 487, DEEDS, AFFECTING THE W1/2NW1/4 OF SEC. 28; S1/2NE1/4, NW1/4, N1/2S1/2 OF SEC. 29; SE1/4NE1/4, E1/2SE1/4 OF SEC. 30; SW1/4SW1/4 OF SEC. 21, T.11S., R.26E., W.M.
(B) DATED NOV. 7, 1934, RECORDED DEC. 18, 1934, IN BOOK 40, PAGE 362, DEEDS, AFFECTING THE N1/2SE1/4, SE1/4SE1/4 OF SEC. 21; S1/2 OF SEC. 22; N1/2N1/2 OF SEC. 27; NE1/4NE1/4 OF SEC. 28, T.11S., R.26E., W.M.
(C) DATED NOV. 9, 1891, RECORDED APRIL 18, 1935 IN BOOK 40, PAGE 428, DEEDS, AFFECTING THE E1/2SW1/4 OF SEC. 21 AND E1/2NW1/4 OF SEC. 28, T.11S., R.26E., W.M.
(D) DATED OCT. 21, 1938, RECORDED NOV. 28, 1938 IN BOOK 43, PAGE 47, DEEDS, AFFECTING THE E1/2SW1/4, S1/2SE1/4 OF SEC. 10; NE1/4NE1/4, W1/2NE1/4, NE1/4NW1/4, S1/2SW1/4, W1/2SE1/4 OF SEC. 15; N1/2NE1/4, SE1/4NE1/4, NE1/4NW1/4 OF SEC. 22, T.11S., R.26E., W.M.
TO-WIT: "EXCEPTING AND RESERVING, HOWEVER, TO THE UNITED STATES ALL THE COAL AND OTHER MINERALS IN THE LANDS SO ENTERED AND PATENTED, TOGETHER WITH THE RIGHT TO PROSPECT FOR, MINE, AND REMOVE THE SAME PURSUANT TO THE PROVISIONS AND LIMITATIONS OF THE ACT OF DECEMBER 29, 1916 (39 STAT., 862)".
- RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS.
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, RECORDED JANUARY 9, 1941, IN BOOK 44, PAGE 339, DEEDS FOR GRANT COUNTY, OREGON, FOR ROAD MATERIALS AND INCIDENTAL PURPOSES IN SW1/4NE1/4 OF SEC. 30.
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, RECORDED OCTOBER 31, 1962, IN BOOK 87, PAGE 568, DEEDS FOR GRANT COUNTY, OREGON, FOR TRAIL AND INCIDENTAL PURPOSES IN W1/2SW1/4 OF SEC. 20.

NOTE: THE ABOVE EASEMENTS WERE CONVEYED BY THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION HIGHWAY DIVISION TO THE UNITED STATES OF AMERICA, BY DEED DATED JUNE 17, 1975, RECORDED JULY 18, 1975 IN BOOK 113, PAGE 341, DEEDS.

DECLARATION CONT.

- CONTRACT OF SALE, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN ROB ROY MUNRO, VENDOR, AND SOUTHWORTH BROS., INC., VENDEE, AS DISCLOSED BY A MEMORANDUM OF CONTRACT OF SALE DATED MAY 11, 1979, RECORDED MAY 17, 1979, IN DEED BOOK 121, PAGE 34.

NOTE: SAID NOTICE OF SALE CONTAINS THE FOLLOWING:

"RESERVING UNTO GRANTOR, AN EASEMENT OVER ALL EXISTING ROADS AND STOCK DRIVEWAYS OVER THE ABOVE DESCRIBED PROPERTY FOR ACCESS TO REMAINING LANDS OF GRANTOR LYING EASTERLY OF THE LANDS SOLD HEREBY, TO WHICH REMAINING LANDS THIS RESERVED EASEMENT IS APPURTENANT."

INFORMATION: WARRANTY DEED FROM SOUTHWORTH BROS., INC., GRANTOR, TO PACIFIC ENERGY MANAGEMENT CORP., AN OREGON CORP., AND MICHAEL S. WISCAVAGE, INDIVIDUALLY, AND ELIZABETH A. WISCAVAGE, INDIVIDUALLY, DATED NOV. 29, 1989, RECORDED NOV. 30, 1989 IN DEED BOOK 139, PAGE 731.

CONSENT TO EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FROM SOUTHWORTH BROS., INC., AN OREGON CORP., DATED NOV. 6, 1997, RECORDED NOV. 12, 1997, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972266.

CONSENT TO EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FROM ROB ROY MUNRO, DATED NOV. 6, 1997, RECORDED NOV. 12, 1997, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972267.

- OFFER TO LEASE AND LEASE FOR OIL AND GAS, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN THE UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, LESSORS, AND MURPHY MINERALS CORPORATION, LESSEE, DATED JUNE 12, 1981, RECORDED JUNE 15, 1982 IN BOOK K, PAGE 806-809, LEASE AND AGREEMENT RECORDS, AFFECTING THE S1/2 OF SEC. 22, T.11S., R.26E., W.M. AND ADDITIONAL LANDS NOT THE SUBJECT OF THIS REPORT.
- CONVEYANCE AND ASSIGNMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FROM SHELL OIL COMPANY, A DELAWARE CORPORATION, TO SHELL WESTERN E&P INC., A DELAWARE CORPORATION, DATED DECEMBER 20, 1983, RECORDED FEBRUARY 1, 1984 IN BOOK 129, PAGE 441-448, DEED RECORDS, AFFECTING THE SE1/4 AND S1/2NE1/4 OF SEC. 29, T.11S., R.26E., W.M. AND ADDITIONAL LANDS NOT THE SUBJECT OF THIS REPORT, PERTAINING TO LEASEHOLD INTEREST IN OIL, GAS OR OTHER MINERALS.
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORPORATION, RECORDED MAY 12, 1986, IN BOOK 133, PAGE 417, DEEDS FOR GRANT COUNTY, OREGON, AN EASEMENT FOR TELEPHONE LINE RIGHT OF WAY AND INCIDENTAL PURPOSES. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORPORATION, RECORDED MAY 12, 1986, IN BOOK 133, PAGE 419, DEEDS FOR GRANT COUNTY, OREGON, AN EASEMENT FOR TELEPHONE LINE RIGHT OF WAY AND INCIDENTAL PURPOSES. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORPORATION, RECORDED MAY 12, 1986, IN BOOK 133, PAGE 421, DEEDS FOR GRANT COUNTY, OREGON, AN EASEMENT FOR TELEPHONE LINE RIGHT OF WAY AND INCIDENTAL PURPOSES. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).
- TRUST DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, GIVEN TO SECURE AN INDEBTEDNESS WITH INTEREST THEREON AND SUCH FUTURE ADVANCES AS MAY BE PROVIDED THEREIN, EXECUTED BY PACIFIC ENERGY MANAGEMENT CO., AN OREGON CORPORATION, AND MICHAEL S. WISCAVAGE, INDIVIDUALLY, AND ELIZABETH A. WISCAVAGE, INDIVIDUALLY, WITH INTERMOUNTAIN LAND TITLE CO., AS TRUSTEES TO SOUTHWORTH BROTHERS, INC., AN OREGON CORPORATION, AS BENEFICIARY, DATED NOVEMBER 30, 1989, RECORDED NOVEMBER 30, 1989 IN MORTGAGE BOOK 61, PAGE 407, RECORDS OF GRANT COUNTY, OREGON.
- CONSENT TO EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FROM GRANT-BAKER FEDERAL CREDIT UNION, DATED NOV. 10, 1997, RECORDED, NOV. 12, 1997, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972268.

DECLARATION CONT.

18. EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, AS SHOWN IN WARRANTY DEED DATED FEBRUARY 15, 1993, RECORDED FEBRUARY 25, 1993, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 930320. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).

19. COMMUNICATIONS SITE EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., DBA PTI COMMUNICATIONS, DATED FEB. 19, 1996, RECORDED MARCH 29, 1996, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 960518. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION).

20. SCENIC EASEMENT DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE UNITED STATES OF AMERICA, DATED NOVEMBER 7, 1997, RECORDED NOVEMBER 12, 1997, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972265.

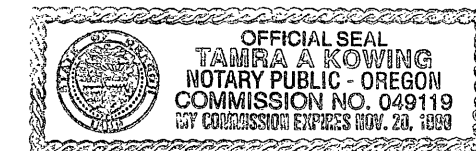
Michael S. Wiscavage
MICHAEL S. WISCAVAGE, INDIVIDUALLY
Elizabeth A. Wiscavage
ELIZABETH A. WISCAVAGE, INDIVIDUALLY

STATE OF OREGON

COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON May 26, 1998, BY MICHAEL S. WISCAVAGE, INDIVIDUALLY, AND ELIZABETH A. WISCAVAGE, INDIVIDUALLY.

Tamra A. Kowling
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 11/20/99



APPROVALS

APPROVED THIS 13th DAY OF APRIL, 1998.

Jack W. Burris
WALLOWA COUNTY SURVEYOR

APPROVED THIS 1st DAY OF May, 1998.

John Carpenter
GRANT COUNTY PLANNING COMMISSION

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

Steve D. Suter
GRANT COUNTY ASSESSOR AND TAX COLLECTOR
DATE: 05-01-98

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 26 DAY OF May, 1998 AT 4:25 O'CLOCK P.M., AND RECORDED AS PARTITION PLAT NO. 98-19 GRANT COUNTY RECORDS.

Alice Thresh Deputy Clerk
GRANT COUNTY CLERK

I CERTIFY THAT THIS PLAT WAS PREPARED WITH ARCHIVAL QUALITY MATERIALS AS REQUIRED BY ORS 209.250. SPECIFIC PRODUCTS USED ARE HEWLETT PACKARD INK #51640A ON CAD ONE DM MYLAR #C642J.

Robert D. Bagett
BAGETT, GRIFFITH & BLACKMAN

AFFIDAVIT OF CONSENT TO DECLARATION OF PROPERTY BEING PARTITIONED RECORDED AS INSTRUMENT NO. 981038, 981037 & 981040, DEED RECORDS.