

# LAND PARTITION PLAT NO. 98-33

SITUATED IN THE SE1/4 OF SEC. 27 AND IN THE NE1/4 OF SEC. 34  
AND IN THE NE1/4 AND NW1/4 OF SEC. 35, T12S, R26E, W.M.  
GRANT COUNTY, OREGON

June 27, 1998

## APPROVALS

Approved this 28 day of July, 1998

Robert D. Baggett  
Grant County Surveyor

Approved this 20th day of August, 1998

BA Carpenters  
Grant County Planning Director

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

Sam J. Burton 08-17-98  
Grant County Assessor and Tax Collector

I do hereby certify that this plat was received on the 21 day of August, 1998 at 2:00 o'clock P.M., and recorded as Land Partition Plat No. 98-33 Grant County Records.

Kathy McInerney  
Grant County Clerk

I do hereby certify that this is a true and exact copy of Land Partition No. 98-33

Jack L. Watson  
Jack L. Watson, PLS

## DECLARATION

Know all people by these present that I, Chet Hettinga, do hereby declare I am the owner of the lands described in the Surveyor's Certificate, and that I have caused the same to be partitioned into parcels in accordance with the provisions of ORS Chapter 92 as shown hereon.

SAID PARCELS ARE SUBJECT TO THE FOLLOWING:

- 1) Rights of the public in streets, roads and highways.
- 2) Any and all matters, including easements and assessments, if any, pertaining to irrigation ditches traversing the subject property.
- 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 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 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.
- 5) Any adverse claim based upon the assertion that said land or any portion thereof is now or at any time has been below high water mark of the John Day River.
- 6) Agreement, including the terms and provisions thereof, between H. Ringsmeyer, Party of the First Part, and John Highland, Party of the Second Part, dated Feb. 11, 1911, recorded Feb. 20, 1911, in Book D, Page 331 of Leases & Agreements, pertaining to an irrigation ditch.
- 7) Agreement, including the terms and provisions thereof, between Bernece O. Williams and Melvin O. Bilyeu, dated March 8, 1954, recorded Jan. 7, 1955 in Book H, Page 434 of Leases & Agreements, to-wit: "Each party shall maintain a fence on his side of what is known as the "Street Lane" at his expense. Both parties shall have the right to continue to use the existing roads that give ingress and egress to and from their respective lands and/or leased lands."
- 8) An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., dated February 28, 1946, recorded December 17, 1946, in Deed Book 49, Page 251, records of Grant County, Oregon. Right of way easement for utility and incidental purposes. No width is given, the easement is not shown due to insufficient data given in the deed.
- 9) An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., dated May 3, 1961, recorded May 3, 1961, in Deed Book 85, Page 97, records of Grant County, Oregon. Right of way easement for utility and incidental purposes, 15 feet in width. The easement is not shown due to insufficient data given in the deed.
- 10) An easement, including the terms and provisions thereof, to Oregon Telephone Corporation, an Oregon corp., dated September 1, 1977, recorded April 3, 1978, in Deed Book 118, Page 611, records of Grant County, Oregon. Right of way easement for utility and incidental purposes. No width is given, the easement is not shown due to insufficient data given in the deed.
- 11) An easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corp., dated July 3, 1978, recorded July 26, 1978, in Deed Book 119, Page 444, records of Grant County, Oregon. Right of way easement for utility and incidental purposes, 15 feet in width. The easement is not shown due to insufficient data given in the deed.
- 12) Lease, including the terms and provisions thereof, between Dayton Hyde and Gerda V. Hyde, husband and wife, Lessors, and the Dayville Cemetery Maintenance District, a political subdivision of Grant County, Oregon, Lessee, dated March 24, 1981, recorded June 9, 1981 in Book K, Page 529 of Leases and Agreements.

Chet Hettinga  
Chet Hettinga

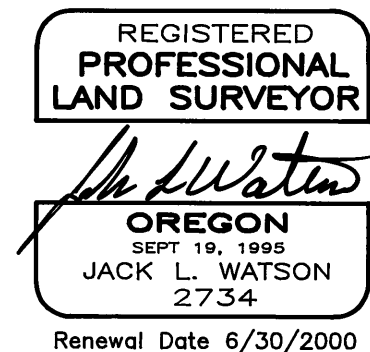
## SURVEYOR'S CERTIFICATE

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, Parcels 2 and 3 of this land partition and that Parcel 1 was not surveyed during this partition process. This partition is situated in the SE1/4 of Section 27 and in the E1/2NE1/4 of Section 34 and in the NE1/4 and NW1/4 of Section 35, T12S, R26E, W.M., Grant County, Oregon, described as follows:

Beginning at the CW1/16 corner of Section 35, which I designate to be the Initial Point of this land partition, which is a 5/8"x30" iron pin with attached 2" aluminum cap;  
thence S89°04'52"W, along the south line of the W1/2NW1/4 of said Section 35, 1328.80 feet to the W1/4 corner of Section 35;  
thence N89°13'01"W, along the south line of the E1/2NE1/4 of said Section 34, 839.00 feet;  
thence N29°25'00"E, 778 feet, more or less, to the northerly right of way line of Highway No. 26;  
thence Northwesterly, along the northerly right of way line of Highway No. 26, 990 feet, more or less, to the west line of the E1/2NE1/4 of Section 34;  
thence North, along the west line of the E1/2NE1/4 of Section 34, 1500 feet, more or less, to the NW corner of said E1/2NE1/4;  
thence N44°15'17"E, 240 feet, more or less, to the centerline of the John Day River;  
thence Southeasterly, upstream along the centerline of the John Day River, 5200 feet, more or less, to the south line of the NW1/4NE1/4 of Section 35;  
thence West, along the south line of the NW1/4NE1/4 and the south line of the NE1/4NW1/4 of Section 35, 2100 feet, more or less, to the SW corner of said NE1/4NW1/4;  
thence S01°15'32"W, along the east line of the W1/2NW1/4 of Section 35, 1320 feet, more or less, to the point of beginning.

This partition contains 165.06 acres, more or less.

Cornerstone Surveying, Inc.  
233 S. Canyon Blvd.  
John Day, OR 97845  
575-1813



## NARRATIVE

This survey was performed at the request of Pete Hettinga. The purpose of this survey was to partition Mr. Hettinga's property, into 3 parcels. Parcels 2 and 3 were to be surveyed and the corners monumented as shown hereon.

After searching the available records pertaining to this survey, I found Survey No. 7G and Survey No. 1443 which shows the subdivision of Section 35. I found several monuments along the highway right of way line which were set as part of an ongoing survey being performed by Douglas M. Ferguson for the Oregon Department of Transportation. The survey has not been filed with the County Surveyor's office as of this partition survey but Mr. Ferguson provided me with a preliminary copy of the survey he intends to file in the near future which explains the monuments I found. The monuments are intended to be along the previous highway right of way line and are shown on Mr. Ferguson's map as referencing the new relocated centerline of Highway 26. I accept the monuments as representing the right of way line for Highway 26.

I used the deed record distance from the E1/4 corner of Section 34, along the south line of the E1/2NE1/4 to position the SW corner of Parcel 2 and deed record bearing to intersect the southerly right of way line of the highway. The division line between parcel 2 and 3 is in the location Mr. Hettinga chose.

I find no record or existence of a Geodetic Control monument within 1/2 mile of this land partition.

## ACKNOWLEDGEMENT

STATE OF OREGON } SS  
COUNTY OF GRANT }

This instrument was acknowledged before me on this 3rd day of August, 1998, by Chet Hettinga.

Karon S. Steinmetz  
Notary Public of Oregon  
My commission expires: Jan. 20, 2002

