

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I, STEPHANIE L. JOHNSON, DO HEREBY DECLARE THAT I AM THE PARTITIONER AND GRANTEE UNDER A BARGAIN AND SALE DEED AND VENDOR'S ASSIGNMENT OF CONTRACT DATED ~~DECEMBER 27, 1997~~ 981635, RECORDED AUG 13, 1998, AS INSTRUMENT NO. 981635, RECORDS OF GRANT COUNTY, OREGON, OF THE LANDS DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT I HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO PARCELS IN ACCORDANCE WITH ORS CHAPTER 92, AS SHOWN ON THE ANNEXED PLAT, AND THAT I DO HEREBY GRANT TO THE FUTURE OWNERS OF PARCELS 1, 2 AND 3, A PRIVATE ACCESS EASEMENT, FOR THE PURPOSE OF INGRESS AND EGRESS FROM SAID PARCELS TO THE JOHN DAY-BURNS HIGHWAY, SAID EASEMENT BEING 30.00 FEET IN WIDTH, AS SHOWN ON THE ANNEXED PLAT, AND THAT I DO HEREBY GRANT TO THE FUTURE OWNERS OF SAID PARCELS 1, 2 AND 3 A PRIVATE ACCESS EASEMENT, FOR THE PURPOSE OF INGRESS AND EGRESS TO SAID PARCELS, SAID EASEMENT BEING 60.00 FEET IN WIDTH, THROUGH PARCELS 1 AND 3, AS SHOWN ON THE ANNEXED PLAT, AND THAT I DO HEREBY GRANT TO SAID FUTURE OWNERS A PRIVATE ACCESS EASEMENT, FOR THE PURPOSE OF INGRESS AND EGRESS FROM PARCELS 1, 2 AND 3 TO PUBLIC LANDS LYING WEST OF THIS PARTITION, AND TO THE 60 FOOT PRIVATE ACCESS EASEMENT AS SHOWN, SAID EASEMENT BEING 30.00 FEET IN WIDTH, AS SHOWN OVER AND ACROSS SAID PARCELS 1, 2 AND 3, AND THAT I DO HEREBY GRANT TO SAID FUTURE OWNERS OF PARCELS 1, 2 AND 3, A PRIVATE ACCESS EASEMENT, FOR THE PURPOSE OF INGRESS AND EGRESS TO PUBLIC LANDS LYING WEST OF THIS PARTITION, SAID EASEMENT BEING 15.00 FEET IN WIDTH AND BEING SITUATED OVER AND ACROSS THE NORTH 15.00 FEET OF THE WEST 926.90 FEET OF PARCEL 2 OF LAND PARTITION NO. 97-33, AS SHOWN ON THE PLAT THEREOF, AND THAT I DO HEREBY GRANT TO THE FUTURE OWNERS OF SAID PARCELS 1, 2 AND 3, THE UTILITIES EASEMENTS FOR CONSTRUCTION AND MAINTENANCE OF UTILITIES AND APPURTENANCES NECESSARY AND CONVENIENT THERETO, ALL AS SHOWN ON THE ANNEXED PLAT.

LAND PARTITION PLAT NO. 98-37

A PARTITION OF PARCEL 3 OF LAND PARTITION NO. 97-33
SITUATED IN THE E1/2SW1/4 AND SW1/4SE1/4
SEC. 2, T15S, R31E, W.M.
GRANT COUNTY, OREGON

CENTERLINE CURVE TABLE 30 FOOT ACCESS EASEMENT THROUGH PARCELS 1, 2 AND 3

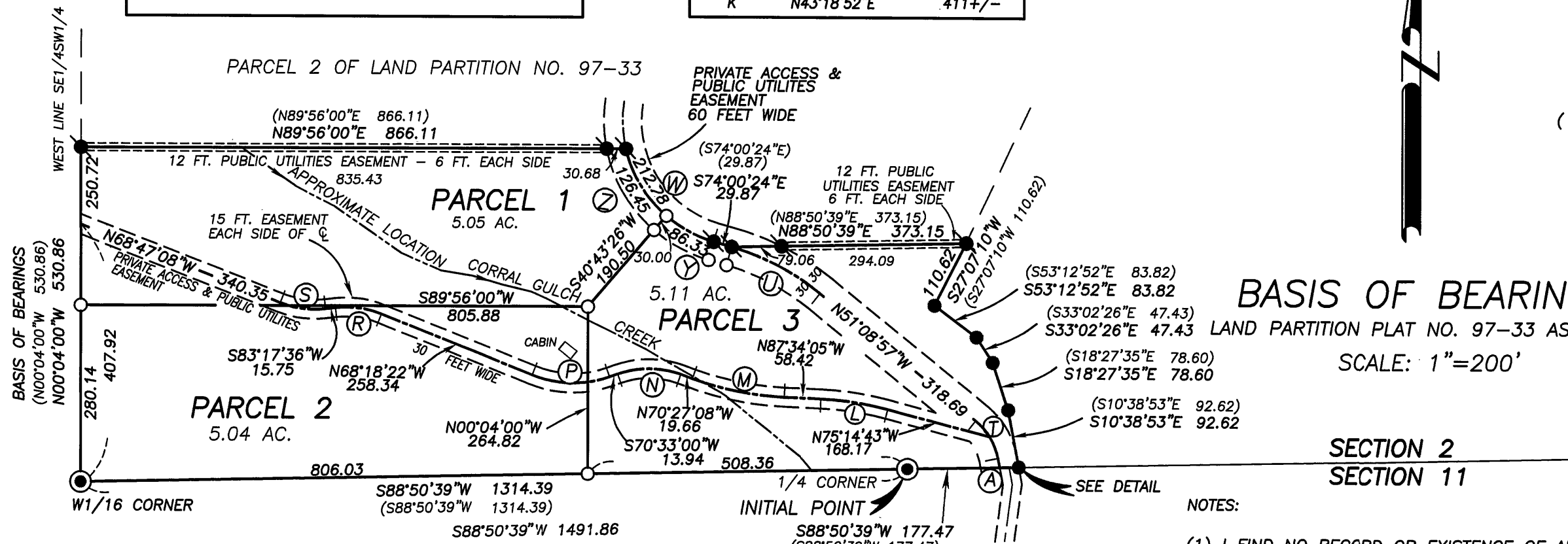
| CURVE | DELTA | RADIUS | LENGTH | CHORD | CHORD BRG |
|-------|-----------|--------|--------|--------|-------------|
| L | 12°19'22" | 500.00 | 107.54 | 107.33 | N81°24'24"W |
| M | 17°06'57" | 500.00 | 149.36 | 148.81 | N79°00'36"W |
| N | 38°59'52" | 150.00 | 102.10 | 100.14 | N89°57'04"W |
| P | 41°08'38" | 175.00 | 125.67 | 122.98 | N88°52'41"W |
| R | 28°24'02" | 150.00 | 74.35 | 73.59 | N82°30'23"W |
| S | 27°55'16" | 150.00 | 73.10 | 72.38 | N82°44'46"W |

CENTERLINE LINE TABLE 30' PRIVATE ACCESS EASEMENT FROM HWY

| LINE | BEARING | DISTANCE |
|------|-------------|----------|
| A | S10°38'53"E | 25.04 |
| B | S07°34'33"W | 269.01 |
| C | S15°29'08"E | 142.90 |
| D | S31°01'45"E | 88.59 |
| E | S45°20'34"E | 201.35 |
| F | S53°59'48"E | 103.50 |
| G | S61°54'36"E | 60.94 |
| H | S77°47'53"E | 73.65 |
| I | N86°09'41"E | 50.92 |
| J | N71°08'40"E | 76.11 |
| K | N43°18'52"E | 411+/- |

CENTERLINE CURVE TABLE 60 FOOT ACCESS EASEMENT THROUGH PARCELS 1 AND 3

| CURVE | DELTA | RADIUS | LENGTH | CHORD | CHORD BRG |
|-------|-----------|--------|--------|--------|-------------|
| T | 40°30'04" | 100.00 | 70.69 | 69.23 | N30°53'55"W |
| U | 22°51'27" | 400.00 | 159.58 | 158.52 | N62°34'40"W |
| W | 60°57'23" | 200.00 | 212.78 | 202.88 | N43°31'42"W |
| Y | 24°43'53" | 200.00 | 86.33 | 85.66 | N61°38'28"W |
| Z | 36°13'30" | 200.00 | 126.45 | 124.35 | N31°09'46"W |



- LEGEND
- FOUND 2 1/2" ALUMINUM PIPE WITH ATTACHED BAGETT - GRIFFITH & ASSOC. ALUMINUM CAP. SEE MAP OF SURVEY NO. 956.
 - FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGA SURVEY MARKER. SEE MAP OF SURVEY NO. 956.
 - FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGB SURVEY MARKER. SEE MAP OF SURVEY NO. 956.
 - SET 5/8"x30" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGB SURVEY MARKER.
 - RECORD BEARING AND DISTANCE

REFERENCES

RECORD MAP OF SURVEY NO.'S 956 & 1061
LAND PARTITION PLAT NO. 97-33
DEED RECORD INSTRUMENT NO.'S 911689 970873 970874
DEED RECORD BOOK 88 PAGE 148
95 432
134 677-681

BASIS OF BEARINGS
LAND PARTITION PLAT NO. 97-33 AS SHOWN
SCALE: 1"=200'

SECTION 2
SECTION 11

- NOTES:
- I FIND NO RECORD OR EXISTENCE OF AN APPURTENANT GEODETIC CONTROL MONUMENT WITHIN 1/2 MILE OF THIS LAND PARTITION.
 - THE CREEK IN CORRAL GULCH RUNS WATER INTERMITTENTLY, IT IS APPROXIMATELY 1 TO 3 FEET WIDE AND HAS NO APPEARANCE OF RUNNING OUT OF ITS CHANNEL.

SEE: CENTERLINE LINE TABLE 30 FT. PRIVATE ACCESS EASEMENT FROM HWY BOOK 134 PAGES 679-681

RECEIVED AND FILED
NOV. 13, 1998
OFFICE OF COUNTY SURVEYOR

ATTEST: *Robert D. Bagett*
Alison Clark Deputy Clerk

SURVEYOR'S CERTIFICATE

I, ROBERT D. BAGETT, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LAND REPRESENTED AS SHOWN ON THIS PARTITION PLAT, SAID PARTITION BEING A PARTITION OF PARCEL 3 OF LAND PARTITION NO. 97-33 AND BEING SITUATED IN THE E1/2SW1/4 AND IN THE SW1/4SE1/4 OF SECTION 2, TWP.15S., R.31E., W.M., GRANT COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 2, SAID CORNER BEING MONUMENTED WITH A 2-1/2"x30" ALUMINUM PIPE WITH ATTACHED 3 INCH ALUMINUM CAP, WHICH MONUMENT I DESIGNATE TO BE THE INITIAL POINT FOR THIS PARTITION, THENCE S.88°50'39"W., ALONG THE SOUTH LINE OF THE SE1/4SW1/4 OF SAID SECTION 2, A DISTANCE OF 1314.39 FEET TO THE SOUTHWEST CORNER OF SAID SE1/4SW1/4; THENCE N.00°04'00"W., ALONG THE WEST LINE OF SAID SE1/4 SW1/4 A DISTANCE OF 530.86 FEET; THENCE N.89°56'00"E., 866.11 FEET; THENCE 212.78 FEET ALONG THE ARC OF A 200.00 FOOT RADIUS CURVE LEFT, (THE LONG CHORD OF WHICH BEARS S.43°31'42"E., 202.88 FEET; THENCE S.74°00'24"E., 29.87 FEET; THENCE N.88°50'39"E., 373.15 FEET; THENCE S.27°07'10"W., 110.62 FEET; THENCE S.53°12'52"E., 83.82 FEET; THENCE S.33°02'26"E., 47.43 FEET; THENCE S.18°27'35"E., 78.60 FEET; THENCE S.10°38'53"E., 92.62 FEET TO A POINT ON THE SOUTH LINE OF THE SW1/4SE1/4 OF SAID SECTION 2; THENCE S.88°50'39"W., ALONG THE SOUTH LINE OF SAID SW1/4SE1/4, A DISTANCE OF 177.47 FEET TO THE POINT OF BEGINNING, CONTAINING 15.20 ACRES, MORE OR LESS.

REGISTERED PROFESSIONAL LAND SURVEYOR
ROBERT D. BAGETT
JULY 12, 1963
598
Renewal Date 12/31/99

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

NARRATIVE

THIS SURVEY WAS REQUESTED BY STEPHANIE JOHNSON, PARTITIONER. THE PURPOSE OF THIS SURVEY WAS TO PARTITION PARCEL 3 OF LAND PARTITION NO. 97-33 INTO 3 PARCELS AS SHOWN ON THE ACCOMPANYING PLAT. THE EXTERIOR BOUNDARY OF THIS LAND PARTITION WAS DETERMINED IN LAND PARTITION NO. 97-33 WHICH I SURVEYED IN DEC. 1997. THE MONUMENTS ON THE BOUNDARY ARE STILL IN GOOD CONDITION. WE SET IRON PINS ON THE DIVISION LINES BETWEEN PARCELS 1, 2 AND 3 AT LOCATIONS APPROVED BY MS. JOHNSON, AS SHOWN HEREON.

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

APPROVALS

APPROVED THIS 24TH DAY OF MAR, 1998.
Jack W. Brown
WALLOWA COUNTY SURVEYOR

APPROVED THIS 25TH DAY OF August, 1998.
BA Larppe
GRANT COUNTY PLANNING COMMISSION

ALL AD VALOREM AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.
Grant County Assessor and Tax Collector
DATE: 08-26-98

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 13 DAY OF Nov, 1998 AT 1:45 O'CLOCK A.M., AND RECORDED AS PARTITION PLAT NO. 98-37 GRANT COUNTY RECORDS.
Alison Clark Deputy Clerk
GRANT COUNTY CLERK

AFFIDAVIT OF CONSENT TO DECLARATION OF PROPERTY BEING PARTITIONED RECORDED AS INSTRUMENT NO. 982534 & 982535, DEED RECORDS.

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 98-37.
Robert D. Bagett
BAGETT, GRIFFITH & BLACKMAN

- 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.
 - COVENANTS, BURDENS AND RESTRICTIONS, WITH CERTAIN LIMITED ACCESS GRANTED, AS SHOWN IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, DATED JANUARY 15, 1963, RECORDED JANUARY 21, 1963 IN DEED BOOK 88, PAGE 148.
 - INDENTURE OF ACCESS, BY THE STATE OF OREGON BY AND THROUGH ITS STATE HIGHWAY COMMISSION, INCLUDING THE TERMS AND PROVISIONS THEREOF, DATED SEPTEMBER 19, 1966, RECORDED OCTOBER 25, 1966, IN DEED BOOK 95, PAGE 432.
 - THE AFFECTS OF THOSE CERTAIN DEEDS FROM DENNIS L. CAWSE AND JOANNE CAWSE, HUSBAND AND WIFE, ET AL TO JAMES A. HENNING AND MAE JEANETT HENNING, DATED DECEMBER 31, 1986, RECORDED DECEMBER 31, 1986 IN DEED BOOK 134, PAGE 678, AND FROM JAMES A. HENNING AND MAE JEANETT HENNING, HUSBAND AND WIFE, TO RICHARD C. CHASE AND NANCY J. CHASE, DATED DECEMBER 31, 1986, RECORDED DECEMBER 31, 1986 IN DEED BOOK 134, PAGE 677, TO ESTABLISH MAP OF SURVEY NO. 956.
 - EASEMENT APPURTENANT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FROM DENNIS L. CAWSE AND JOANNE CAWSE, HUSBAND AND WIFE, TO JAMES A. HENNING AND MAE JEANETT HENNING, HUSBAND AND WIFE, DATED DECEMBER 31, 1986, RECORDED DECEMBER 31, 1986 IN DEED BOOK 134, PAGE 679.
 - EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SHOWN IN DEED TO JAMES S. LUNSFORD AND MARY THERESA LUNSFORD, HUSBAND AND WIFE, DATED JANUARY 17, 1990, RECORDED SEPTEMBER 27, 1991 IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 911689.
 - CONTRACT OF SALE, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN MAE JEANETT HENNING AND JAMES A. HENNING, HUSBAND AND WIFE, VENDOR, AND JERRY L. JOHNSON, VENDEE, AS DISCLOSED BY A MEMORANDUM OF CONTRACT OF SALE DATED MAY 14, 1997, RECORDED MAY 14, 1997, AS INSTRUMENT NO. 970873, RECORDS OF GRANT COUNTY, OREGON.
 - BARGAIN AND SALE DEED AND VENDOR'S ASSIGNMENT OF CONTRACT, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN JERRY L. JOHNSON, GRANTOR, AND STEPHANIE L. JOHNSON, GRANTEE, DATED ~~DECEMBER 27, 1997~~ 981635, RECORDED AUG 13, 1998, AS INSTRUMENT NO. 981635, RECORDS OF GRANT COUNTY, OREGON.
 - THE PRIVATE ACCESS EASEMENT, 60 FEET WIDE, AS SHOWN ACROSS PARCELS 1 AND 3, FOR THE PURPOSE OF INGRESS AND EGRESS TO LANDS NORTH OF THIS PARTITION.
 - THE PRIVATE ACCESS EASEMENT, 30 FEET WIDE, FOR THE PURPOSE OF INGRESS AND EGRESS TO PUBLIC LANDS, AS SHOWN ACROSS PARCELS 1, 2 AND 3.
 - THE PUBLIC UTILITIES EASEMENTS, AS SHOWN, TO PROVIDE INGRESS AND EGRESS TO AND FOR THE CONSTRUCTION AND MAINTENANCE OF PUBLIC UTILITIES.

STEPHANIE L. JOHNSON
STATE OF OR
COUNTY OF GRANT
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON July 20, 1998
BY STEPHANIE L. JOHNSON.
Notary Public for Grant County, Oregon
MY COMMISSION EXPIRES 7-9-00

MURRAY S. SHERMAN
COMM. #1097556
NOTARY PUBLIC-CALIFORNIA
ORANGE COUNTY
My Comm. Expires July 9, 2001