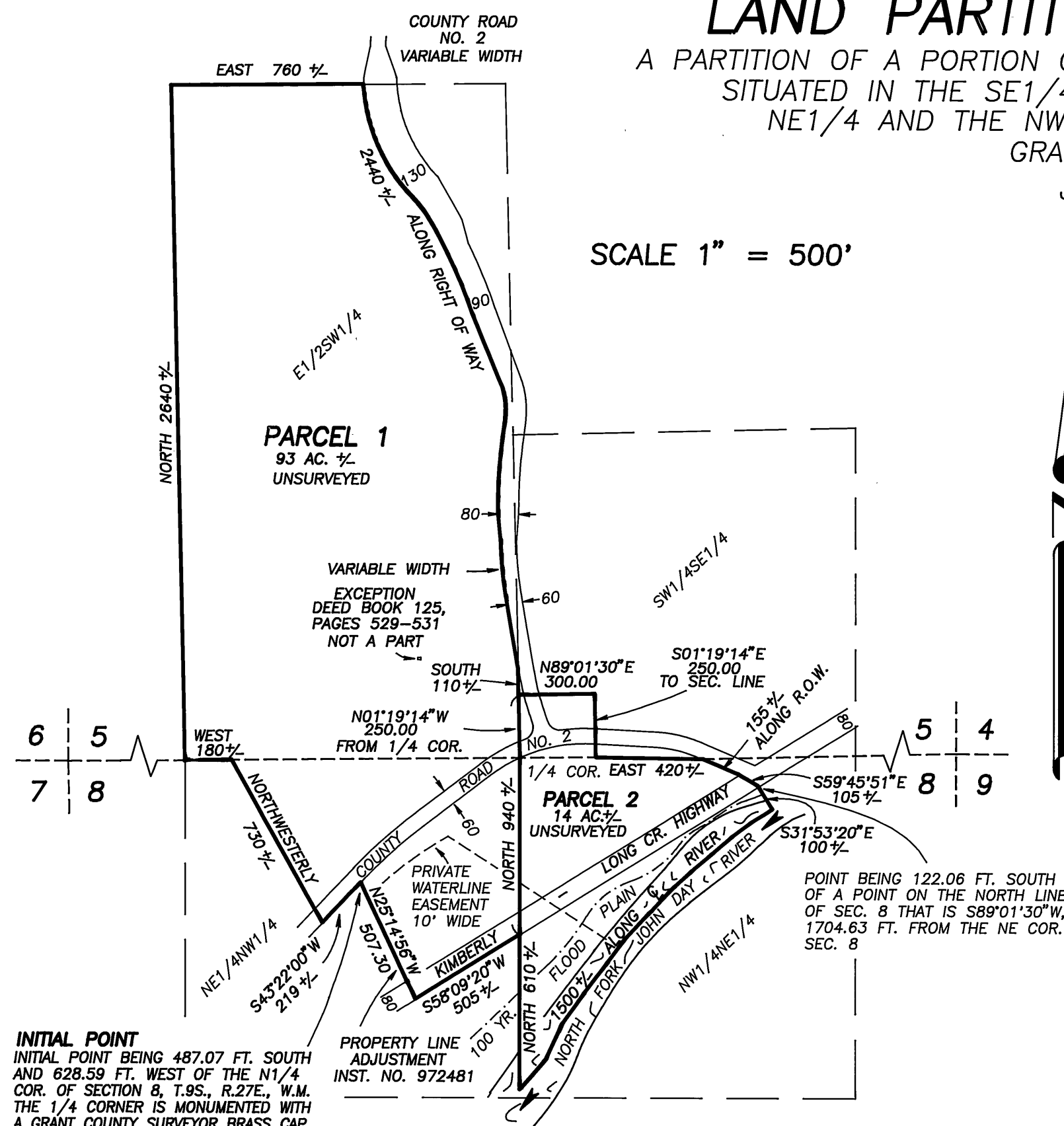


LAND PARTITION PLAT NO. 99-01

A PARTITION OF A PORTION OF PARCEL 1 OF LAND PARTITION NO. 94-04
SITUATED IN THE SE1/4 AND THE SW1/4 OF SEC. 5 AND THE
NE1/4 AND THE NW1/4 OF SEC. 8, T.9S., R.27E., W.M.,
GRANT COUNTY, OREGON

JANUARY 5, 1999

SCALE 1" = 500'



INITIAL POINT
INITIAL POINT BEING 487.07 FT. SOUTH
AND 628.59 FT. WEST OF THE N1/4
COR. OF SECTION 8, T.9S., R.27E., W.M.
THE 1/4 CORNER IS MONUMENTED WITH
A GRANT COUNTY SURVEYOR BRASS CAP.

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 COUNTY ROAD NO. 2, KIMBERLY - LONG CREEK HIGHWAY AND THE NORTH FORK JOHN DAY RIVER ARE APPROXIMATE.
- (4) THE HIGH WATER LINE AND 100 YEAR FLOOD HAZARD FOR THE NORTH FORK OF THE JOHN DAY RIVER SHOWN HEREON ARE BASED ON FEMA MAP NO. 410074 0025 B, DATED MAY 18, 1982.
- (5) THE LOCATION OF THE 10 FT. WIDE WATER LINE EASEMENT IS APPROXIMATE AND IS BASED ON FRANK SILVA'S RECOLLECTION. SEE ITEM NO. 8 IN THE DECLARATION OF LAND PARTITION PLAT NO. 93-03.

REFERENCES

DEED INSTRUMENT NO.S 972480 & 972481
LAND PARTITION PLAT NO.S 93-03 AND 94-04

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 12, 1983
ROBERT D. BAGETT
598

Renewal Date 12/31/99

RECEIVED AND
FILED

JAN. 11, 1999
OFFICE OF COUNTY SURVEYOR

ATTEST: *Kathy M. Johnson*

APPROVALS

APPROVED THIS 8TH DAY OF JAN., 1999.

Joseph W. Burtis
MALLOWA COUNTY SURVEYOR

APPROVED THIS 11 DAY OF JAN., 1999.

Debra M. Kowalski
GRANT COUNTY PLANNING COMMISSION

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

John R. Sutton
GRANT COUNTY ASSESSOR AND TAX COLLECTOR
DATE: 2-1-1999

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED
ON THE 11TH DAY OF JANUARY, 1999 AT 2:00 O'CLOCK
P.M., AND RECORDED AS PARTITION PLAT NO. 99-01
GRANT COUNTY RECORDS.
Kathy M. Johnson
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT
COPY OF LAND PARTITION PLAT NO. 99-01
Robert D. Bagett
BAGETT-GRIFFITH AND BLACKMAN

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, DAVID L. LUNDY, JR. AND DOROTHY D. LUNDY, HUSBAND AND WIFE, DO HEREBY DECLARE 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:

1. 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.
2. 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.
3. RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS.
4. 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 NORTH 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.
5. 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 NORTH 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 NORTH FORK OF THE JOHN DAY RIVER, OR HAS BEEN FORMED BY ACCRETION TO ANY SUCH PORTION.
6. 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 NORTH FORK OF THE JOHN DAY RIVER.
7. ANY AND ALL MATTERS, INCLUDING EASEMENTS AND ASSESSMENTS, IF ANY, PERTAINING TO IRRIGATION DITCHES.
8. AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, AND GRANT COUNTY, OREGON, DATED OCT. 29, 1946, RECORDED NOV. 12, 1946 IN BOOK F, PAGE 273, LEASES & AGREEMENT RECORDS, REGARDING THE ABANDONMENT BY THE STATE OF CERTAIN PORTIONS OF THE OLD KIMBERLY-LONG CREEK SECONDARY HIGHWAY.
9. PROVISIONS IN DEED FROM PERCY A. CUPPER AND MABEL CUPPER, HUSBAND AND WIFE, F.A. CUPPER AND LAURA M. CUPPER, HUSBAND AND WIFE, TO MORTON C. CUPPER, DATED AUG. 13, 1924, RECORDED AUG. 29, 1924, IN DEED BOOK 35, PAGE 436, REGARDING IRRIGATION RIGHTS.
10. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORP., DATED APRIL 18, 1986, RECORDED MAY 5, 1986, IN DEED BOOK 133, PAGE 338, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, NO WIDTH SPECIFIED.
(NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
11. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORP., DATED APRIL 28, 1986, RECORDED MAY 5, 1986, IN DEED BOOK 133, PAGE 339, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, NO WIDTH SPECIFIED.
(NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
12. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORP., DATED APRIL 18, 1986, RECORDED MAY 5, 1986, IN DEED BOOK 133, PAGE 340, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, NO WIDTH SPECIFIED.
(NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
13. AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO TELEPHONE UTILITIES OF EASTERN OREGON, INC., AN OREGON CORP., DATED APRIL 28, 1986, RECORDED MAY 5, 1986, IN DEED BOOK 133, PAGE 341, RECORDS OF GRANT COUNTY, OREGON, RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, NO WIDTH SPECIFIED.
(NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
14. RIGHT OF WAY DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO GRANT COUNTY, OREGON, A MUNICIPAL CORPORATION, DATED DEC. 14, 1992, RECORDED DEC. 22, 1992, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 922563, FOR RIGHT OF WAY AND INCIDENTAL PURPOSES, VARIABLE WIDTH, FOR COUNTY ROAD NO. 2, AS SHOWN.
15. WATER LINE EASEMENT FOR THE PURPOSE OF MAINTAINING A DOMESTIC WATER LINE SERVING PARCEL 1 OF LAND PARTITION NO. 93-03, AS SHOWN IN THE DECLARATION OF SAID LAND PARTITION NO. 93-03, 10 FEET WIDE.
16. MATTERS DISCLOSED IN DECLARATION AND PLAT ON LAND PARTITION NO. 93-03 FILED IN THE OFFICE OF THE GRANT COUNTY CLERK ON FEBRUARY 12, 1993.

DECLARATION CONT'D

17. MATTERS DISCLOSED IN DECLARATION AND PLAT FOR LAND PARTITION NO. 94-04 FILED IN THE OFFICE OF THE GRANT COUNTY CLERK ON JULY 26, 1994.
18. RESERVATION, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS SHOWN IN DEED FROM MANUEL N. SILVA AND MARY CALMEIRINDA SILVA, HUSBAND AND WIFE, AND FRANK SILVA, JR., DATED MARCH 16, 1995, RECORDED DEC. 18, 1997, IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972480, TO-WIT: "RESERVING UNTO FRANK SILVA, JR. AND HIS SPOUSE, THEO SILVA, AND FOR THE LIFE OF THE SURVIVOR OF THEM, A LIFE ESTATE IN SAID PROPERTY."
19. IRRIGATION PUMP AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN DAVID L. LUNDY, JR., AND DOROTHY D. LUNDY, HUSBAND AND WIFE, AND BRAD A. SMITH AND JULIE M. SMITH, HUSBAND AND WIFE, DATED DECEMBER 17, 1997, RECORDED DECEMBER 18, 1997 IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972484.
(NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
20. WELL AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN DAVID L. LUNDY, JR., AND DOROTHY D. LUNDY, HUSBAND AND WIFE, AND BRAD A. SMITH AND JULIE M. SMITH, HUSBAND AND WIFE, DATED DECEMBER 17, 1997, RECORDED DECEMBER 18, 1997 IN THE RECORDS OF GRANT COUNTY, OREGON, AS INSTRUMENT NO. 972485.
(NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
21. RIGHT OF WAY FOR PORTION OF THE RELOCATED KIMBERLY-LONG CREEK HIGHWAY, VARIABLE WIDTH, RECORDED IN BOOK 49, PAGE 353, DEED RECORDS.

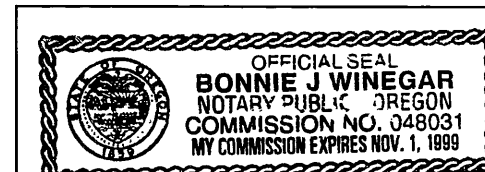
David L. Lundy, Jr.
DAVID L. LUNDY, JR.

Dorothy D. Lundy
DOROTHY D. LUNDY

ACKNOWLEDGEMENT
STATE OF OREGON SS
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Jan. 11, 1999
BY DAVID L. LUNDY, JR. AND DOROTHY D. LUNDY, HUSBAND AND WIFE.

Bonnie J. Winegar
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 11-1-99



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, SAID PARTITION BEING SITUATED IN THE SW1/4SE1/4 AND THE E1/2SW1/4 OF SECTION 5, AND IN THE NW1/4NE1/4 AND THE NE1/4NW1/4 OF SECTION 8, TWP. 9S., R.27E., W.M., GRANT COUNTY, OREGON, AND BEING A PARTITION OF THAT PORTION OF PARCEL 1 OF LAND PARTITION NO. 94-04 DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON PIN, WITH ATTACHED YELLOW PLASTIC CAP MARKED "BGB SURVEY MARKER", WHICH I DESIGNATE TO BE THE INITIAL POINT FOR THIS LAND PARTITION, SAID POINT BEING 487.07 FEET SOUTH AND 628.59 FEET WEST FROM THE N1/4 CORNER OF SAID SECTION 8; THENCE S.43°22'00"W., ALONG THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 2, A DISTANCE OF 219 FEET, MORE OR LESS; THENCE CROSSING SAID COUNTY ROAD, NORTHWESTERLY, 730 FEET, MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION 8; THENCE WEST, ALONG SAID NORTH LINE, A DISTANCE OF 180 FEET, MORE OR LESS; TO THE NW CORNER OF THE NE1/4NW1/4 OF SAID SECTION 8; THENCE NORTH, ALONG THE WEST LINE OF THE E1/2SW1/4 OF SECTION 5, A DISTANCE OF 2640 FEET, MORE OR LESS, TO THE NW CORNER OF SAID E1/2SW1/4; THENCE EAST, ALONG THE NORTH LINE OF SAID E1/2SW1/4, A DISTANCE OF 760 FEET, MORE OR LESS, TO THE WESTERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 2; THENCE SOUTHERLY, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 2440 FEET, MORE OR LESS, TO THE EAST LINE OF THE E1/2SW1/4 OF SAID SECTION 5; THENCE SOUTH, ALONG THE EAST LINE OF SAID E1/2SW1/4, A DISTANCE OF 110 FEET, MORE OR LESS, TO A POINT WHICH IS N.01°19'14"W., 250.00 FEET FROM THE SOUTH 1/4 CORNER OF SAID SECTION 5; THENCE N.89°01'30"E., 300.00 FEET; THENCE S.01°19'14"E., 250.00 FEET TO THE SOUTH LINE OF SAID SECTION 5; THENCE EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 420 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF COUNTY ROAD NO. 2; THENCE SOUTHEASTERLY, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 155 FEET, MORE OR LESS, TO THE NORTHERLY RIGHT OF WAY LINE OF THE RELOCATED KIMBERLY-LONG CREEK HIGHWAY; THENCE CROSSING SAID HIGHWAY, S.59°45'51"E., 105 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID HIGHWAY, SAID POINT BEING 122.06 FEET SOUTH OF A POINT ON THE NORTH LINE OF SAID SEC. 8 THAT IS S.89°01'30"W., 1704.63 FEET FROM THE NORTHEAST CORNER OF SAID SEC. 8; THENCE S.31°53'20"E., 100 FEET, MORE OR LESS, TO THE CENTER OF THE NORTH FORK JOHN DAY RIVER; THENCE SOUTHWESTERLY, DOWNSTREAM, ALONG THE CENTER OF SAID RIVER, A DISTANCE OF 1500 FEET, MORE OR LESS, TO THE WEST LINE OF THE NW1/4NE1/4 OF SAID SECTION 8; THENCE NORTH, ALONG SAID WEST LINE, A DISTANCE OF 610 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT OF WAY LINE OF THE RELOCATED KIMBERLY-LONG CREEK HIGHWAY; THENCE S.58°09'20"W., ALONG SAID HIGHWAY RIGHT OF WAY LINE, 505 FEET, MORE OR LESS, TO A POINT WHICH IS S.25°14'56"E. OF THE POINT OF BEGINNING; THENCE N.25°14'56"W., 507.30 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT TRACT OF LAND SITUATED IN THE E1/2SW1/4 OF SAID SECTION 5 AS SHOWN ON LAND PARTITION PLAT NO. 94-04 AND MORE PARTICULARLY DESCRIBED IN DEED BOOK 125, PAGES 529-531, RECORDS OF GRANT COUNTY, OREGON.

SAID TRACT CONTAINING 107 ACRES, MORE OR LESS.

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