

LAND PARTITION PLAT NO. 1999-18

A PARTITION OF PARCEL 3 OF LAND PARTITION NO. 98-44
SITUATED IN THE NE1/4NW1/4 SEC. 11,
T.13S., R.33E., W.M.,
CITY OF PRAIRIE CITY,
GRANT COUNTY, OREGON

SEPTEMBER 22, 1999

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT I, WAYNE C. OVERTON, 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 PLAT;

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 IN STREETS, ROADS AND HIGHWAYS.
- 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 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 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 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 JOHN DAY RIVER.
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO WEST COAST POWER COMPANY, A CORP., DATED APRIL 17, 1940, RECORDED APRIL 17, 1940, IN DEED BOOK 43, PAGE 632, RECORDS OF GRANT COUNTY, OREGON. RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, 20 FT. WIDE. (NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION.)
- AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE CITY OF PRAIRIE CITY, DATED FEBRUARY 21, 1957, RECORDED MARCH 5, 1957, IN DEED BOOK 76, PAGE 455, RECORDS OF GRANT COUNTY, OREGON. RIGHT OF WAY EASEMENT FOR UTILITY AND INCIDENTAL PURPOSES, 10 FT. WIDE, AS SHOWN
- AN EASEMENT, 40.00 FEET IN WIDTH, INCLUDING THE TERMS AND PROVISIONS THEREOF, TO THE FUTURE OWNERS OF THIS PARTITION, DATED SEPTEMBER 22, 1999, RECORDED SEPTEMBER 23, 1999, AS INSTRUMENT NO. 99-2834, DEED RECORDS OF GRANT COUNTY, OREGON. PRIVATE ACCESS EASEMENT FOR INGRESS AND EGRESS TO BRIDGE STREET, AS SHOWN.
- THE PUBLIC SEWER LINE EASEMENT, 10 FEET IN WIDTH, GRANTED TO THE CITY OF PRAIRIE CITY IN LAND PARTITION NO. 98-44, AS SHOWN ON THE PLAT THEREOF.
- ANY EASEMENTS, RIGHTS OF WAY, AND RESERVATIONS, AS THE SAME MAY EXIST OR APPEAR OF RECORD.

Wayne C. Overton
WAYNE C. OVERTON

ACKNOWLEDGEMENT
STATE OF OREGON SS
COUNTY OF Baker

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Oct. 19, 1999,
BY WAYNE C. OVERTON.

Loril Miller
NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 10-24-2000



AFFIDAVIT OF CONSENT TO DECLARATION OF PROPERTY BEING PARTITIONED RECORDED AS INSTRUMENT NO. 993219 & 993220, DEED RECORDS.

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. 98-44 AND BEING SITUATED IN THE NE1/4NW1/4 OF SECTION 11, T.13S., R.33E., W.M., CITY OF PRAIRIE CITY, GRANT COUNTY, OREGON, DESCRIBED AS FOLLOWS: PARCEL 3 OF LAND PARTITION NO. 98-44 AS SHOWN ON THE PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF GRANT COUNTY, OREGON. I DESIGNATE THE 5/8 X 30 INCH IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "BGB SURVEY MARKER", AT THE NORTHWEST CORNER OF PARCEL 1, TO BE THE INITIAL POINT, SAID POINT BEING 878.56 FT. SOUTH AND 1329.31 FT. EAST OF THE NORTHWEST CORNER OF SAID SECTION 11.

SAID TRACT CONTAINING 1.20 ACRES.

BAGETT-GRIFFITH AND BLACKMAN
217 N. CANYON BLVD.
JOHN DAY, OREGON

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF WAYNE OVERTON. THE PURPOSE OF THIS SURVEY WAS TO CREATE 2 PARCELS WITH THIS LAND PARTITION, WHICH IS A PARTITION OF PARCEL 3 OF LAND PARTITION NO. 98-44, AND TO SET MONUMENTS ON THE DIVISION LINE BETWEEN PARCELS 1 AND 2, AS SHOWN.
A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE EXISTING CONTROLLING MONUMENTS. WE RETRACED THE APPURTENANT PORTIONS OF PARCEL NO. 3 OF LAND PARTITION NO. 98-44 WHICH I SURVEYED IN DECEMBER OF 1998. THE NEW MONUMENTS WERE SET IN ACCORDANCE WITH THE EVIDENCE FOUND AND AT POSITIONS APPROVED BY MR. OVERTON, AS SHOWN HEREON.

APPROVALS

APPROVED THIS 22 DAY OF OCT, 1999.

Jack W. Burris
WALLA WALLA COUNTY SURVEYOR

APPROVED THIS 19 DAY OF October 1999.

Supriya McDonald
CITY OF PRAIRIE CITY PLANNING COMMISSION

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

Paul S. Dunton
GRANT COUNTY ASSESSOR & TAX COLLECTOR
DATE: 11-02-1999

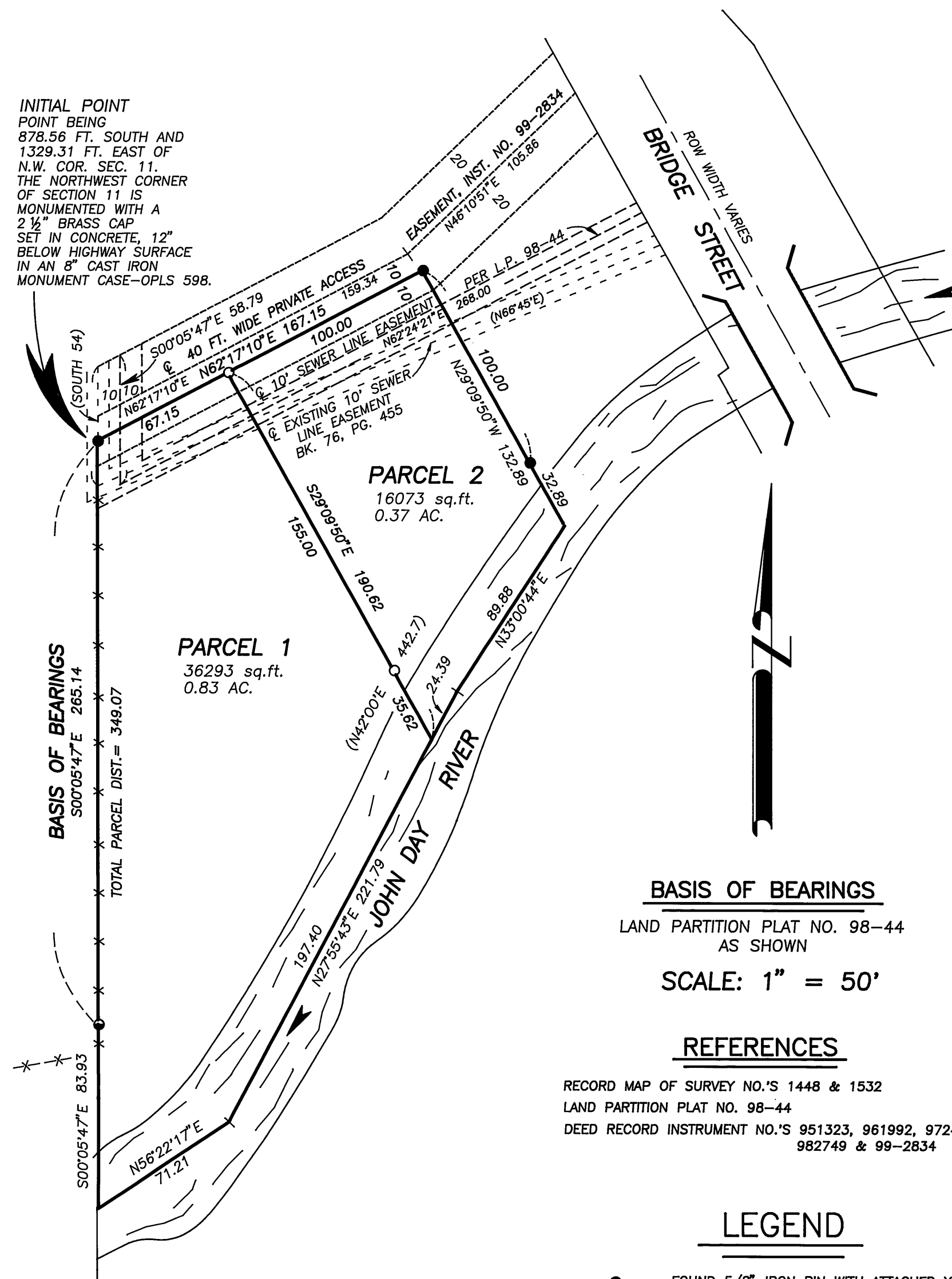
I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 22 DAY OF Nov., 1999 AT 2:30 O'CLOCK P.M., AND RECORDED AS PARTITION PLAT NO. 1999-18 GRANT COUNTY RECORDS.

Kathy McInnis
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF LAND PARTITION PLAT NO. 1999-18.

Robert D. Bagett
BAGETT-GRIFFITH AND BLACKMAN

INITIAL POINT
POINT BEING
878.56 FT. SOUTH AND
1329.31 FT. EAST OF
N.W. COR. SEC. 11.
THE NORTHWEST CORNER
OF SECTION 11 IS
MONUMENTED WITH A
2 1/2" BRASS CAP
SET IN CONCRETE, 12"
BELOW HIGHWAY SURFACE
IN AN 8" CAST IRON
MONUMENT CASE-OPLS 598.



BASIS OF BEARINGS

LAND PARTITION PLAT NO. 98-44
AS SHOWN

SCALE: 1" = 50'

REFERENCES

RECORD MAP OF SURVEY NO.'S 1448 & 1532
LAND PARTITION PLAT NO. 98-44
DEED RECORD INSTRUMENT NO.'S 951323, 961992, 972471,
982749 & 99-2834

LEGEND

- FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGB SURVEY MARKER SET DURING LAND PARTITION NO. 98-44
- FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGB SURVEY MARKER SET DURING RECORD SURVEY NO. 1448
- SET 5/8" X 30" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BGB SURVEY MARKER
- () RECORD BEARING AND DISTANCE
- X—X FENCE LINE

REGISTERED
PROFESSIONAL
LAND SURVEYOR

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

Renewal Date 12/31/99

- NOTE:
- I FIND NO RECORD OR EXISTENCE OF AN APPURTENANT GEODETIC CONTROL MONUMENT WITHIN 1/2 MILE OF THIS LAND PARTITION.
 - THE MEASURED BEARINGS AND/OR DISTANCES SHOWN ALONG THE PARTITION BOUNDARY ARE THE SAME AS SHOWN ON LAND PARTITION PLAT NO. 98-44.