

RE-PLAT OF LOTS 36 AND 37 AND LOTS 40 THRU 47  
 CANYON MOUNTAIN HEIGHTS ADDITION  
 SITUATED IN THE SW1/4 OF SECTION 35  
 T13S, R31E, W.M.  
 TOWN OF CANYON CITY  
 GRANT COUNTY, OREGON

October 12, 2004  
 Sheet 2 of 2

APPROVALS

Approved this 11<sup>th</sup> day of Nov., 2004

Robert D. Boyett  
 Grant County Surveyor

Approved this 30<sup>th</sup> day of Nov., 2004

Donald E. Mooney  
 Mayor of the Town of Canyon City

Approved this 17 day of November, 2004

Michael J. Haddock  
 Chairman of City Planning Commission

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

Paul D. Burton  
 Grant County Assessor and Tax Collector  
 Date 12-14-2004

Approved by the Grant County Court this 24<sup>th</sup> day of November, 2004.

County Judge Nennio Reynolds

Commissioner Scott W. Myers

Commissioner \_\_\_\_\_

I do hereby certify that this plat was received on the 14<sup>th</sup> day of December, 2004 at 9:30 o'clock A.M., and recorded as Re-Plat of Lots 36 and 37 and lots 40 through 47 of Canyon Mountain Heights Addition.

Bob D. Perry  
 Grant County Clerk Deputy

I do hereby certify that this is a true and exact copy of the original plat.

Jack L. Watson  
 Jack L. Watson

RECEIVED AND FILED  
 DEC. 22. 2004  
 GRANT COUNTY SURVEYOR  
James A. Hays

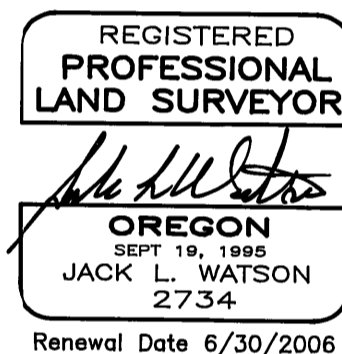
SURVEYOR'S CERTIFICATE

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, Lots 111 through 115 of this re-plat. This is a re-plat of lots 36 and 37 and lots 40 through 47 of Canyon Mountain Heights Addition to Canyon City, recorded January 16, 2002 in the office of the Grant County Clerk. This survey is situated in the SW1/4 of Section 35, T13S, R31E, W.M., Town of Canyon City, Grant County, Oregon, described as follows.

Lots 36 and 37 and lots 40 through 47 of Canyon Mountain Heights Addition to the Town of Canyon City.

The Initial Point at the SW corner of Lot 111, is a 5/8 inch iron pin with attached red plastic cap. These lots contain 2.66 acres

Cornerstone Surveying, Inc.  
 233 S. Canyon Blvd.  
 John Day, Oregon 97845



NARRATIVE

This survey was performed at the request of David Fields, Managing Member of Canyon Mountain Heights, LLC. The purpose of this survey was to re-plat lots 36 and 37 and lots 40 through 47 of Canyon Mountain Heights Addition to Canyon City.

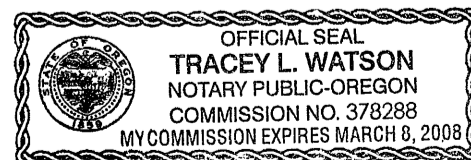
A search was made of the available records pertaining to this survey. Field measurements were made to locate the monuments shown hereon. The monuments shown as found on the annexed plat were accepted.

ACKNOWLEDGEMENT

STATE OF OREGON }  
 COUNTY OF Grant } SS

Know all people by these presents, on this 19<sup>th</sup> day of November, 2004 before me, a notary public in and for the State of Oregon, personally appeared the above named, David K. Fields, managing member of Canyon Mountain Heights, LLC., who executed the foregoing declaration and who acknowledged to me that he executed the same freely and voluntarily for the purpose therein named.

Tracey L. Watson  
 Notary Public for Oregon  
 Date 3/8/08



DECLARATION

Know all people by these presents that Canyon Mountain Heights, LLC., does hereby declare it is the owner of the lands described in the Surveyor's Certificate, and that Canyon Mountain Heights, LLC., has caused these lots to be re-platted in accordance with the provisions of ORS Chapter 92.

David K. Fields  
 David K. Fields  
 Managing Member of Canyon Mountain Heights, LLC.

These lots are subject to the following:

- 1) Covenants and restrictions of Canyon Mountain Heights recorded in Instrument No. 220300 deeds of Grant County.
- 2) The appurtenant portions of the declaration of Canyon Mountain Heights Addition to the Town of Canyon City, Oregon, dated October 22, 2001, recorded in the Grant County Clerk's office.
- 3) The provisions and reservations contained in that certain patent from the United States of America dated April 2, 1882, recorded March 27, 1886 in the Deed Book G, page 58, for the Humbolt Placer Mine, to-wit:  
 THIRD: That the premises hereby conveyed may be entered by the proprietor of any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead tin, copper, or other valuable deposits, for the purpose of extracting and removing the ore from such vein or lode, should the same, or any part thereof, be found to penetrate, intersect, pass through or dip into the mining ground or premises hereby granted."  
 FOURTH: That the premises hereby conveyed shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local laws, customs, and decisions of the courts. And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.  
 FIFTH: That in the absence of necessary legislation by Congress, the legislature of Oregon may provide rules for working in the mining claim or premises hereby granted, involving easements, drainage and other necessary means to the complete development thereof.
- 4) The provisions and reservations contained in patent from the United States of America, dated April 3, 1905, recorded Aug. 16, 1911 in Deed book 29, page 335, as to the Consolidated Mining Claim No. 2 Placer. NOTE: These are the same as paragraphs THIRD, FOURTH and FIFTH shown above.
- 5) Unpatented tunnel claims, water rights, claims or title to water.