

# REPLAT OF PARTITION No. P1992-011

IN THE N1/2 OF SECTION 25, T8S, R38E, WM  
BAKER COUNTY, OREGON

P-1996-011  
DECLARATION

We, Fred Payton and Charlene Payton, owners of record of Parcel 1 of Partition No. 1992-011, do hereby declare that we have caused this plat to be prepared and the property replated in accordance with Baker County Regulations and Oregon Revised Statutes Chapter 92. We also recognize and accept the Pine Creek County Road right-of-way as shown.

*Fred Payton* *Charlene M. Payton*  
 (STATE OF OREGON)  
 (COUNTY OF BAKER)  
 Signed and sworn to before me on February 2, 1996,  
 by Fred Payton and Charlene Payton.

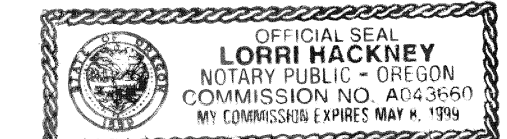
*Lorri Hackney*  
 My Commission Expires 5-8-99



I, Rebecca M. Black, owner of Parcel 2 of Partition No. P1992-011, do hereby dedicate a private use road easement as shown on this plat for the exclusive use of the owners of parcels in this partition. I also recognize and accept the Pine Creek County Road right-of-way, powerline easement and the ditch easements as shown.

*Rebecca M. Black*  
 (STATE OF OREGON)  
 (COUNTY OF BAKER)  
 Signed and sworn to before me on February 5, 1996,  
 by Rebecca M. Black.

*Lorri Hackney*  
 My Commission Expires 5-8-99



We, Carney & Deborah Landsford, owners and Robin L. & Mary S. Harris, contract purchasers of Parcel 3 of Partition No. P1992-011, do hereby recognize and accept the Dry Gulch Ditch easement as shown.

*Carney Landsford* *Deborah Landsford* *Robin L. Harris* *Mary S. Harris*  
 Signed and sworn to before me on April 1st, 1996,  
 by Robin L. Harris and Mary S. Harris.

*Lorri Hackney*  
 My Commission Expires 5-8-99



*Kimberly A. Slack*  
 My Commission Expires 2-24-98



I do hereby certify that the attached replat was received for recording on the 3rd day of May, 1996, at 8:45 o'clock A.M. and recorded as Plat No. 1996-011, Microfilm No.         , filed in Plat Cabinet No.         , Baker County Records.

Baker County Clerk *Janet Spriet* Dep.

### NARRATIVE

The purpose of this replat is to divide Parcel 1 of Partition No. P1992-011, Section 25, T8S, R38E, WM, Baker County, Oregon, into three parcels and vacating a portion of the existing access easement and rededicating that portion of the easement in the location of the present access road through Parcel 2 at the request of Fred Payton in behalf of himself and his wife, Charlene Payton. An additional approval is necessary for the relocation of the access easement from Rebecca Black owner of Parcel 2. Also, two ditch easements were not shown on the original partition plat which are a condition of approval of this replat thereby necessitating the approvals of the owner and contract purchaser of Parcel 3, Carney & Deborah Rudi and Robin L. & Mary S. Harris respectively.

The primary control for this survey are three survey monuments found on the east side of Pine Creek and Ben Dier County Roads. There are a number of surveys and found monuments in the area. Some of the surveys which were referred to during this survey were 8-38-012, -018, -019, -020, -024, -026, -030, -038 and Partition Plat No. 1995-009. The Basis for Bearings of this survey is the bearing of N89°45'48"E between two pins set during survey No. 8-38-018 on the east-west center of section line east of Pine Creek Road.

In Surveys No. 18, 20 and 26 there have been seven survey monuments (No. 5 Rebar) set along the easterly side of Pine Creek and Ben Dier Roads 30' from the one-sixteenth line between the center of section line and the northerly section line of Section 25, but I was only able to find three. One pin seems to be missing due to land owner activity, but the others are missing or buried very deep due to the building of Ben Dier Road by the Baker County Road Department. Also there are at least three other pins that were situated along the sixteenth line in Ben Dier Road that have probably met a similar fate.

That portion of Ben Dier Road which was built from Pine Creek Road to the section line for some reason has been placed so as to fall 15 to 20 feet east of the usual 30-foot width which has been set aside for the road and shown on several survey maps. The right-of-way on the west side of the sixteenth line is only 12 to 13.5 feet.

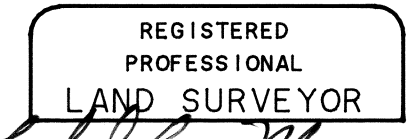
The 30' powerline easement recorded as Deed No. 91 32 072 and as shown on the original partition plat is being corrected on this plat based on as-built evidence of the location of the powerline. The powerline as located is outside the original easement at many points. A portion of this property is covered by water right Certificate C-39217.

### CERTIFICATION

I, Leland Lee Myers, a Professional Land Surveyor registered in the State of Oregon, with my office at 587 E Auburn Street, PO Box 98, Sumpter, Oregon 97877, completed this survey on November 16, 1995, by setting the monuments and do hereby certify that the information shown on this plat is correct to the best of my knowledge.

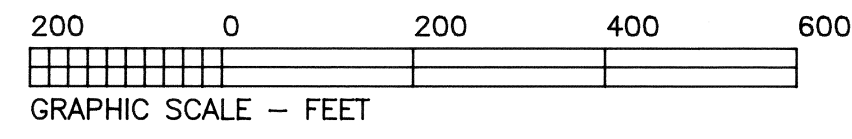
The Point of Beginning for this replat is the C-W 1/16th corner of Section 25, T8S, R38E, WM, thence, N89°45'48"E, 30.00 feet to a point on the east right-of-way line of Pine Creek Road which is a No. 5 rebar with a yellow plastic cap marked Hanley Engr.; thence N0°18'32"E along the right-of-way line, 784.06 feet to the southwest corner of Partition No. P1992-011 which is a No. 5 rebar 30 inches long with a yellow plastic cap marked Hanley Engr. and is the Initial Point from which the exterior boundary is more fully described as follows:

- thence, N0°18'53"E, 1119.25 feet along the easterly line of Pine Creek Road to a No. 5 rebar 30 inches long with a yellow plastic cap marked PLS 699;
- thence, S89°51'19"E, 311.33 feet to a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, S89°53'05"E, 292.25 feet to a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, S89°50'43"E, 584.56 feet to a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, S89°48'41"E, 105.60 feet to a point on the north-south center of section line which is a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, N89°37'06"E, 239.09 feet to a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, S0°04'10"W, 554.77 feet to a No. 5 rebar with a yellow plastic cap marked PLS 699;
- thence, S0°00'58"W, 125.12 feet to a No. 5 rebar with a yellow plastic cap marked PLS 2316;
- thence, S0°05'05"W, 431.49 feet to a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, S89°49'04"W, 238.75 feet to a point on the north-south center of section line which is a No. 5 rebar with a yellow plastic cap marked Hanley Engr.;
- thence, S89°45'45"W, 1298.88 feet to the Initial Point; a parcel of land containing 39.28 acres.

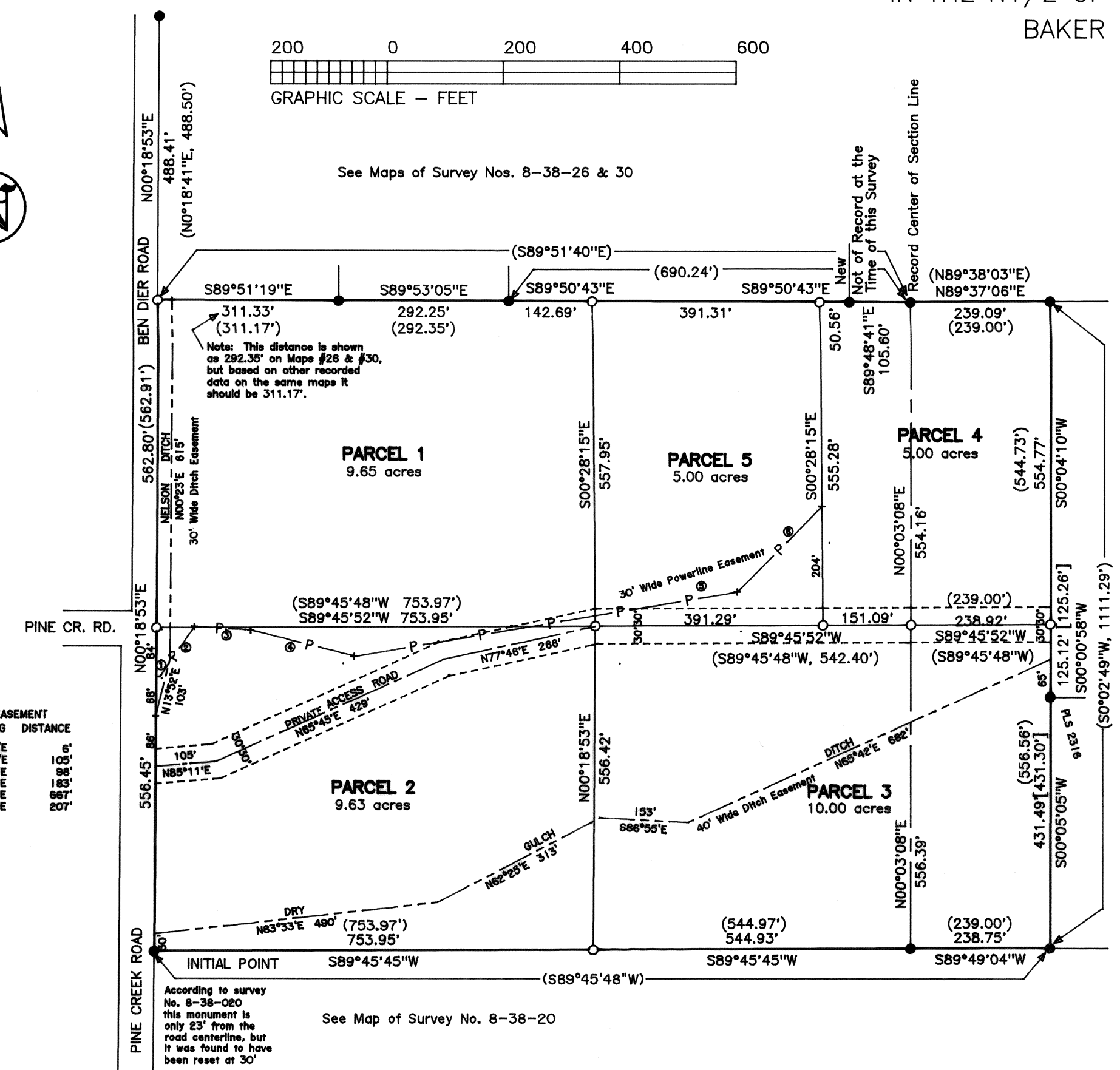


OREGON  
JULY 9, 1989  
LELAND LEE MYERS  
698

Renewal Date 1/1/97



See Maps of Survey Nos. 8-38-26 & 30



POWERLINE EASEMENT

COURSE	BEARING	DISTANCE
1	S89°41'E	6'
2	N54°34'E	105'
3	S89°16'E	36'
4	S78°01'E	183'
5	N80°26'E	687'
6	N44°55'E	207'

According to survey No. 8-38-020 this monument is only 23' from the road centerline, but it was found to have been reset at 30'

See Map of Survey No. 8-38-20

### APPROVALS

I have reviewed this plat and find it complies with the regulations of the Baker County.

*David Shaw* for Bill Seales 5/23/96  
 Baker County Planning Director Date

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

*Lynne Taylor* 5/23/96  
 Baker County Treasurer Date

I have reviewed this plat under authority of ORS 92.100 and find it complies with ORS Chapter 92 and ORS 209.250.

*James D. Hanley* 4-5-96  
 Baker County Surveyor Date

### LEGEND

- Set No. 5 x 30" Rebar with Yellow Plastic Cap marked PLS 699 ○
- Found No. 5 Rebar per Hanley Unless Otherwise Described ●
- Record Data per Hanley Surveys (.....)
- Record Data per Cummings Survey [.....]

I, Leland Lee Myers, hereby certify that this is an exact duplicate copy of the replat as submitted to the Baker County Clerk for recording.