

EASEMENTS / EXCEPTIONS

- EXCEPTING the coal and other minerals, reserved in the following United States Patents:
 - Recorded October 16, 1922, in Deed Book 98, Page 114, as to the West half of the Southeast quarter, and the East half of the Southwest quarter of Section 11, T. 13 S., R. 36 E., W.M..
 - Recorded April 27, 1923, in Deed Book 99, Page 289, as to the Northwest quarter of the Northeast quarter of Section 10; the West half of the Southeast quarter of Section 15; the Northeast quarter of the Northwest quarter, and the North half of the Northeast quarter of Section 22; the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 14; the Northwest quarter of the Northwest quarter, and the Southeast quarter of the Northwest quarter of Section 23, all of T. 13 S., R. 36 E., W.M..
 - Recorded June 8, 1928, in Deed Book 110, Page 303, as to the Southwest quarter of the Northwest quarter of Section 2; the South half of the Northeast quarter, and the Northeast quarter of the Southeast quarter of Section 3, T. 13 S., R. 36 E., W.M..
 - Recorded January 15, 1935, in Deed Book 120, Page 277, as to Lots 3 and 4 of Section 1, Lots 1, 2 and 4, and the Southwest quarter of the Southeast quarter of Section 2, T. 13 S., R. 36 E., W.M..
 - Recorded January 15, 1935, in Deed Book 120, Page 277, as to the Southeast quarter of the Southeast quarter of Section 35, T. 12 S., R. 36 E., W.M..
- Statutory powers and assessments of the Burnt River Irrigation District, as disclosed by instrument recorded March 30, 1938, in Leases & Agreements Book "N", Page 340.
- Any and all matters, including easements and assessments, if any, pertaining to ditches crossing said property, including but not limited to the McCullough Water Ditch, as disclosed by deed recorded May 16, 1903, in Deed Book 51, Page 632, relating to portions of Section 25, T. 12 S., R. 36 E., W.M..
- Limited access in deed recorded December 19, 1949, in Deed Book 152, Page 142, to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway shall attach to the abutting property, other than expressly therein provided for. Affects Sections 23 and 25, T. 12 S., R. 36 E., W.M..
- Power line Easement granted to California Pacific Utilities Company by instrument, including the terms and provisions thereof, recorded May 23, 1952, in Deed Book 159, Page 126, as to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T. 12 S., R. 36 E., W.M..
- Right of Way Easement granted to the United States of America by instrument, including the terms and provisions thereof, recorded March 11, 1968, in Deed 68 11 008, as to a strip of land of variable width in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 23, T. 13 S., R. 36 E., W.M..
- Easements for telephone line system, granted to Oregon Telephone Corporation by instrument, including the terms and provisions thereof, recorded April 11, 1996, in Deeds 96 15 220, over the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, in T. 12 S., R. 36 E., W.M..
- Road Easement granted to Franklyn Polley and Paulina Polley recorded in Baker County Deed 69 23 034, described as that road which leaves the Baker County Road No. 1114 in a generally Easterly direction in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, T. 12 S., R. 36 E., W.M..
- Rights of the public in a road, as disclosed by two instruments recorded June 12, 1969, in Deeds 69 23 035 and 69 23 036, regarding what is identified as County Road 1114, and a connecting road, in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, T. 12 S., R. 36 E., W.M..
- Right of Way Easement granted to Oregon Telephone Corporation recorded in Baker County Deed 75 06 026 described as where the line is now staked in that portion North & East of US Highway #26 lying in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, also that portion West of US Highway #26 in the SE $\frac{1}{4}$ Sec. 25, also the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and that portion lying South of US Highway #26 in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ all being in Sec. 25, also that portion South of US Highway #26 lying in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 23 all being in T. 12 S., R. 36 E., W.M..
- Power Line Easement granted to Idaho Power Company recorded in Baker County Deed B0007 0038, described as follows:
A strip of land 10 feet wide, being 5 feet on each side of survey line, lying over and across Section 1, Section 12, and Section 11, Township 13 South, Range 36 East, W.M., Being more particularly described as follows:
Commencing at the Northwest corner of Section 1, T. 13 S., R. 36 E., W.M.; thence S. 27° 12' 24" E., a distance of 5958.86 feet to the said South $\frac{1}{4}$ Corner common to Sections 1 & 12; thence N. 40° 21' 41" E., a distance of 1919.39 feet to the Real Point of Beginning; thence S. 73° 37' 12" W., a distance of 379.80 feet; thence S. 88° 47' 04" W., a distance of 644.06 feet; thence N. 87° 42' 55" W., a distance of 656.28 feet; thence N. 88° 56' 25" W., a distance of 1630.00 feet; thence S. 13° 08' 39" W., a distance of 3200.49 feet to the end of easement.
- Underground Power Line Easement granted to Idaho Power Company recorded in Baker County Deed B0151 0033, described as follows:
A strip of land 20 feet wide, being 10 feet on each side of survey line, lying over and across Section 11, Township 13 South, Range 36 East, W.M., Being more particularly described as follows:
Commencing at the Northwest corner of Section 1, T. 13 S., R. 36 E., W.M.; thence S. 27° 12' 24" E., a distance of 5958.86 feet to the said South $\frac{1}{4}$ Corner common to Sections 1 & 12; thence N. 40° 21' 41" E., a distance of 1919.39 feet; thence S. 73° 37' 12" W., a distance of 379.80 feet; thence S. 88° 47' 04" W., a distance of 644.06 feet; thence N. 87° 42' 55" W., a distance of 656.28 feet; thence N. 88° 56' 25" W., a distance of 1630.00 feet; thence S. 13° 08' 39" W., a distance of 3200.49 feet; thence S. 45° 05' 37" W., a distance of 418.14 feet; thence S. 43° 20' 21" W., a distance of 604.55 feet to the point of beginning; thence N. 66° 47' 00" W., a distance of 252.23 feet; thence N. 49° 55' 39" W., a distance of 560.42 feet to the end of easement.

DECLARATION

Know all people by these presents that Ernest C. & Helen E. Coneen, Trustees of the Coneen Family Trust and Susan Coneen Badewitz are the owners of the land represented on the annexed plat, and more particularly described in the accompanying Surveyor's Certificate and they caused the same to be partitioned into two parcels as shown, in accordance with O.R.S. Chapter 92 and do hereby grant the ditch easements as described on the annexed plat.

Ernest C. Coneen Ernest C. Coneen, Trustee
Helen E. Coneen Helen E. Coneen, Trustee
Susan Coneen Badewitz Susan Coneen Badewitz

ACKNOWLEDGMENT

State of California On November 4, 2002 before me did personally appear the within named Ernest C. & Helen E. Coneen, Trustees of the Coneen Family Trust and Susan Coneen Badewitz who acknowledged to me that they executed the same freely and voluntarily.

HANLEY ENGINEERING, INC.
 2043 MAIN STREET
 BAKER CITY, OREGON



Cynthia D. Cantwell
 NOTARY PUBLIC
 My Commission Expires August 24, 2008

PARTITION PLAT NO.

P2002-008

SURVEYOR'S CERTIFICATE

I, Thomas J. Hanley, certify that I have correctly platted two parcels of land on the annexed partition plat in accordance with O.R.S. Chapter 92. Both parcels are unsurveyed. The boundary of the partition is as follows:

A parcel of land in Sections 23, 24, 25, 26, 34, 35, and 36 of Township 12 South, Range 36 East, and Sections 1, 2, 3, 10, 11, 12, 14, 15, 22, 23, and 27 of Township 13 South, Range 36 East, Willamette Meridian, Baker County, Oregon, more particularly described as follows:

TOWNSHIP 12 SOUTH, RANGE 36 EAST

- SECTION 23:** The North half of the Southeast quarter; the South half of the Northeast quarter; the Northeast quarter of the Southwest quarter; and the South half of the Southeast quarter, EXCEPTING THEREFROM that portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded December 19, 1949, in Deed Book 152, Page 142.
- SECTION 24:** The West half of the Southeast quarter; the East half of the Southwest quarter; and the Northwest quarter of the Southwest quarter.
- SECTION 25:** The East half of the Northeast quarter; the Northwest quarter of the Northeast quarter; the Northeast quarter of the Northwest quarter; the West half of the Southwest quarter; the South half of the Northwest quarter; and the Southwest quarter of the Northeast quarter, EXCEPTING THEREFROM the following two parcels:
 Parcel 1: That portion conveyed to Baker County by deed recorded December 8, 1932, in Deed Book 117, Page 478.
 Parcel 2: That portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded December 19, 1949, in Deed Book 152, Page 142.
 All that portion of the Southeast quarter lying Westerly of the Highway Right of Way.
- SECTION 26:** The Southeast quarter; the South half of the Northeast quarter; the West half of the Northwest quarter; the East half of the Southwest quarter; and the Southeast quarter of the Northwest quarter.
- SECTION 34:** The South half of the Southwest quarter, and the Northeast quarter of the Southeast quarter.
- SECTION 35:** The South half; the Northeast quarter; and the East half of the Northwest quarter.
- SECTION 36:** The South half; the Northwest quarter; the West half of the Northeast quarter; the Southeast quarter of the Northeast quarter; and the Northeast quarter of the Northeast quarter; EXCEPTING THEREFROM the following three parcels:
 Parcel 1: That portion conveyed to Baker County by deed recorded July 21, 1927, in Deed Book 108, Page 305.
 Parcel 2: That portion conveyed to the State of Oregon, by and through its State Highway Commission, by deed recorded March 24, 1950, in Deed Book 152, Page 628.
 Parcel 3: Beginning at a point 231.4 feet South and 479.2 feet West of the Northeast corner of said Northeast quarter of the Northeast quarter, said point being 30 feet South of the centerline of the John Day Highway Right of Way as it existed on February 7, 1939; thence Southeasterly on a 2894.79 foot radius curve left (the long chord of which bears S. 44° 03' E., 303.03 feet), a distance of 303.14 feet; thence S. 42° 57' W., 100.0 feet; thence on a 2994.79 foot radius curve right (the long chord of which bears N. 44° 03' W., 313.49 feet), a distance of 313.61 feet; thence N. 48° 57' E., 100.0 feet to the point of beginning.

TOWNSHIP 13 SOUTH, RANGE 36 EAST

- SECTION 1:** Lots 1, 2, 3 and 4; the South half of the North Half; the North half of the Southwest quarter; the Northwest quarter of the Southeast quarter; and the Southwest quarter of the Southwest quarter.
- SECTION 2:** All.
- SECTION 3:** Lots 3 and 4; the South half; and the South half of the North half.
- SECTION 10:** The North half, and the Southeast quarter.
- SECTION 11:** The North half; the Southeast quarter; and the East half of the Southwest quarter.
- SECTION 12:** The West half; and the West half of the Southwest quarter of the Southeast quarter.
- SECTION 14:** The Southwest quarter of the Southeast quarter; and the Southeast quarter of the Southwest quarter.
- SECTION 15:** The East half of the Northeast quarter; the Northwest quarter of the Northeast quarter; and the West half of the Southeast quarter.
- SECTION 22:** The Northeast quarter of the Northwest quarter; the North half of the Northeast quarter; the Southeast quarter of the Northeast quarter; the North half of the South half; the South half of the Southwest quarter; and the Southwest quarter of the Southeast quarter.
- SECTION 23:** The West half of the Northwest quarter; and the Southeast quarter of the Northwest quarter.
- SECTION 27:** The North half of the Northwest quarter; the Southwest quarter of the Northwest quarter; and the Northwest quarter of the Northeast quarter.

EXCEPTING from the above described land those portions included in any County Road Right of Ways or State Highway Right of Ways.
 Subject to the Easements and Exceptions as described hereon.

This partition contains approximately 6711 acres.



Renews June 30, 2003

APPROVALS

We the undersigned officers in and for Baker County, Oregon do hereby approve this minor partition plat.
 Baker County Surveyor by: *Dick G. Nelson* Date October 22 2002.
 Baker County Planning by: *Jack Brown* Date 11/12/02 2002.

I hereby certify that all taxes for subject property have been paid as required.
 Baker County Tax Collector by: *Alice Duffinger* Date November 12th 2002.

State of Oregon }
 County of Baker } S.S. I do hereby certify that the annexed minor partition plat was received for recording on the 12 day of NOVEMBER, 2002 at 11 o'clock 5:00AM, and recorded in Baker County records and is hereby approved.

Baker County Clerk by: *Jamara J. Green*, By *Karen Phillips*