

B05 51 0006

Baker County Deed Records. Spring is situated in the SE¼ of Section 13, T. 9 S., R. 39 E., W.M. 2. Reservation of a right of way for ditches or canals, of all mineral rights, and of the right to enter upon, occupy and use, including the terms and provisions thereof, as reserved in Patent from the United States of America to Tom M. Kerns, recorded March 18, 1968, in Deed 68 12 001, Baker County Deed Records. Reserves unto the United States all mineral deposits in the SE¼ of Section 24 and the N½NE¼ of Section 25. Reserves unto the United States the right to itself, its permittees or licensees, to enter upon, occupy and use any part or all of the NE¼SE¼ of Section 23, the SW¼ of Section 24, and the N½NE¼, NE¼NW¼ of Section 25. Subject to rights for water conduit purposes as the City of Baker, Oregon may have in the NE¼SE¼ of Section 23, the SW¼ of Section 24, and the N½NE¼, NE¼NW¼ of Section 25.

3. Right of Way, including the terms and provisions thereof, in favor of the City of Baker, Oregon, for a water pipeline, recorded November 4, 1971, in Deed 71 44 050, Baker County Deed Records. Approximate easement location is as shown on the annexed plat.

4. Easement, including the terms and provisions thereof, in favor of John Bootsma and Margaret Bootsma, their heirs and assigns, for access to a well, recorded July 19, 1977, in Deed 77 29 039, Baker County Deed Records. Approximate easement location is as shown on the annexed plat.

5. Right of Way Easement, including the terms and provisions thereof, in favor of California—Pacific Utilities Company, its successors and assigns, to construct, reconstruct, operate and maintain electric power or telephone lines and/or gas or water mains and all necessary poles, towers, pipe, valves and appurtenances, 15 feet in width, recorded February 9, 1979, in Deed 79 06 098, Baker County Deed Records. Approximate easement location is as shown on the annexed plat. 6. Easement, including the terms and provisions thereof, in favor of the City of Baker, a municipal corporation of the State of Oregon, its successors and assigns, for a

water pipeline, 20 feet in width, recorded March 30, 1979, in Deed 79 14 008, Baker County Deed Records. Approximate easement location is as shown on the annexed 7. Easement, including the terms and provisions thereof, in favor of CP National Corporation, a corporation, its successors and assigns, to construct, reconstruct, operate,

maintain, repair, replace and remove electric power or telephone lines and/or gas or water mains and all necessary poles, towers, transformers, cables, pipes, valves and appurtenances, 15 feet in width, recorded August 1, 1980, in Deed 80 31 098, Baker County Deed Records. Approximate easement location is as shown on the annexed plat. 8. Easement, including the terms and provisions thereof, in favor of CP National Corporation, a corporation, its successors and assigns, to construct, reconstruct, operate,

maintain, repair, replace and remove electric power or telephone lines and/or gas or water mains and all necessary poles, towers, transformers, cables, pipes, valves and appurtenances, 15 feet in width, recorded August 1, 1980, in Deed 80 31 099, Baker County Deed Records. Approximate easement location is as shown on the annexed plat. 9. Easements, including the terms and provisions thereof, in favor of Western Heights Water Association, its successors and assigns, for storing and transmitting water,

together with the attendant facilities required for location of pumps and other paraphernalia, and for access to and maintenance of water facilities, recorded January 14, 1981, in Deed 81 02 042, Baker County Deed Records. Approximate easement locations are as shown on the annexed plat.

10. Easements, including the terms and provisions thereof, in favor of Western Heights Water Association, its successors and assigns, for erecting and maintaining a water tank and ancillary works, for maintaining and improving a wellhead, pump and ancillary works, for erecting a fence, and for a mine shaft and the maintenance of the surface over a mine shaft, recorded December 14, 1990, in Deed 90 51 012, Baker County Deed Records. Approximate easement locations are as shown on the annexed

11. Easement, including the terms and provisions thereof, in favor of Oregon Trail Electric Consumers Cooperative, a corporation, its successors and assigns, to construct, reconstruct, operate and maintain underground electric power lines and all necessary appurtenances, 15 feet in width, recorded February 17, 1995, in Deed 95 08 078, Baker

12. Easement, including the terms and provisions thereof, in favor of Oregon Trail Electric Consumers Cooperative, a corporation, its successors and assigns, to construct, reconstruct, operate, maintain, repair, replace and remove electric power lines and all necessary poles, towers, transformers, cables, conduits, pipes and appurtenances, 15 feet in width, recorded March 14, 1996, in Deed 96 12 006, Baker County Deed Records. Approximate easement location is as shown on the annexed plat. 13. Unrecorded Lease, including the terms and provisions thereof, between Baker Valley Enterprises, Inc., as lessor, and Triton Cellular Partners of Bend L.L.C., dba Cellular

One, as lessee, dated July 20, 1993, as disclosed by Easement recorded June 29, 1999, in Deed 99 26 221, Baker County Deed Records. 14. Easement, including the terms and provisions thereof, in favor of Triton Cellular Partners of Bend L.L.C., dba Cellular One, its successors and assigns, for ingress and egress, 20 feet in width, recorded June 29, 1999, in Deed 99 26 221, Baker County Deed Records. Easement is not plottable as described by the deed. Easement follows an existing road as highlighted in Deed No. 99 26 223.

15. Easement, including the terms and provisions thereof, in favor of Duane E. Stiff and Carol A. Stiff, Trustees of the Stiff Family Trust, their successors and assigns, for vehicular and pedestrian ingress, egress and general driveway purposes, 40 feet in width, recorded January 11, 2000, in Deed 0002 0181, Baker County Deed Records.

16. Unrecorded Lease, including the terms and provisions thereof, between Baker Valley Enterprises, Inc., an Oregon corporation, as lessor, and Oregon RSA No. 3 Limited

Partnership, an Oregon limited partnership, doing business as U.S. Cellular, as lessee, dated May 9, 2000, a Memorandum of which was recorded December 28, 2000, in Deed 0052 0194, Baker County Deed Records. Approximate location of Lease is as shown on the annexed plat.

ACCESS / UTILITIES EASEMENT

A thirty (30) feet wide access/utility easement is hereby created by this plat. The easement shall consist of a strip of land thirty (30) feet in width, fifteen (15) feet on each side of the centerline of an existing road the approximate location of which is as shown on the annexed plat. Said easement shall be for ingress and egress and the placement of utilities to serve Parcel Number 3. The beneficiaries of this easement shall be limited to the owners of Parcel Number 3, their heirs, successors, assigns, and guests, to include any subdivided portions thereof.

DECLARATION

Know all people by these presents that Baker Valley Enterprises, Inc., an Oregon corporation is the owner of the land represented on the annexed plat, and more particularly described in the accompanying Surveyor's Certificate, and it caused the same to be partitioned into two parcels as shown, in accordance with O.R.S. Chapter 92 and does hereby grant the access/utility easement as described hereon.

Baker Valley Enterprises, Inc.

ACKNOWLEDGMENT

2005 before me did personally appear the within named Byron Henry, President of Baker Valley Enterprises, Inc., who acknowledged to me that he executed the same freely and voluntarily.



My Commission Expires 4.6.09

PARTITION PLAT NO. P2005-013

SURVEYOR'S CERTIFICATE

l, Thomas J. Hanley, certify that I have correctly platted two parcels of land on the annexed major partition plat in accordance with O.R.S. Chapter 92. The boundary of the partition is as follows; Land located in Sections 13, 14, 23, 24 and 25, Township 9 South, Range 39 East, Willamette Meridian, Baker County, Oregon, being more particularly described as a portion of Parcel No. 2 of Baker County Partition Plat No. P1992-016, the exterior boundary of which is more particularly described as follows: Beginning at the Southwest corner of said Section 24; thence North along the West line of the Southwest quarter of the Southwest quarter of said Section 24, a distance of 1320 feet, more or less, to the Northwest corner thereof; thence West along the South line of the Northeast quarter of the Southeast quarter of said Section 23, a distance of 1320 feet, more or less, to the Southwest corner thereof; thence North along the West line of the said Northeast quarter of the Southeast quarter, a distance of 1320 feet, more or less, to the Northwest corner thereof; thence East along the North line of the said Northeast quarter of the Southeast quarter, a distance of 1320 feet, more or less, to the Northeast corner thereof; thence North along the West line of the Southwest quarter of the Northwest quarter of said Section 24, a distance of 1320 feet, more or less, to the Northwest corner thereof; thence West along the South line of the Northeast quarter of the Northeast quarter of said Section 23, a distance of 1320 feet, more or less, to the Southwest corner thereof; thence North along the West line of the said Northeast quarter of the Northeast quarter, a distance of 1320 feet, more or less, to the Northwest corner thereof; thence North along the West line of the East half of the Southeast quarter of said Section 14, a distance of 2640 feet, more or less, to the Northwest corner thereof; thence East along the North line of the said East half of the Southeast quarter, a distance of 1320 feet, more or less, to the Northeast corner thereof; thence North along the West line of the Southwest quarter of the Northwest quarter of said Section 13, a distance of 1320 feet, more or less, to the Northwest corner thereof; thence N. 89° 57' 18" E., along the North line of the said Southwest quarter of the Northwest quarter, a distance of 440 feet, more or less, to the Northwest corner of Western Heights Subdivision No. 2; thence along the Southwesterly line of said subdivision the following courses; S. 29° 57' 55" E., 369.49 feet; S. 32° 23' 23" E., 550.35 feet; S. 49° 44' 54" E., 1026.27 feet; thence along the boundary of a parcel shown on Baker County Survey No. 9—39—16 the following courses; S. 11° 51' 51" W., 293.68 feet; S. 50° 30' 08" W., 268.44 feet; thence S. 20° 06' 46" W., 198.94 feet; thence along the Southerly line of the parcel described in Baker County Deed No. B0209 0126 the following courses; S. 34° 23' 23" W., 50.88 feet; S. 59° 10' 34" E., 231.62 feet; N. 81° 34′ 41″ E., 637.49 feet; thence N. 30° 12′ 21″ E., along the Westerly line of the said parcel shown on Survey No. 9-39-16, a distance of 457.21 feet, to the most Westerly corner of Lot 12, Western Heights Subdivision No. 1; thence along the boundary of the said Subdivision No. 1 the following courses; S. 54° 22' 45" E., 207.36 feet; along a 602.96 foot radius curve to the right (the chord of which bears N. 26° 48' 05" E., 61.83 feet) a distance of 61.86 feet; N. 29° 44' 13" E., 202.96 feet; along a 220.99 foot radius curve to the left (the chord of which bears S. 62° 07' 12" E., 60.03 feet) a distance of 60.21 feet; S. 29° 44' 13" W., 204.90 feet; along a 542.96 foot radius curve to the left (the chord of which bears S. 26° 08' 12" W., 68.19 feet) a distance of 68.24 feet; S. 54° 22' 45" E., 40.49 feet; thence along an existing fence line the following courses; S. 19° 03' 53" W., 663.14 feet; S. 54° 40' 51" E., 1870 feet, more or less, to intersect the East line of the Southwest quarter of the Southeast quarter of said Section 13; thence South along said East line, a distance of 300 feet, more or less, to the Southeast corner thereof; thence South along the East line of the West half of the Northeast quarter of said Section 24, a distance of 2640 feet, more or less, to the Southeast corner thereof; thence South along the East line of the West half of the Southeast quarter of said Section 24, a distance of 2640 feet, more or less, to the Southeast corner thereof; thence South along the East line of the Northwest quarter of the Northeast quarter of said Section 25, a distance of 1320 feet, more or less, to the Southeast corner thereof; thence West along the South line of the said Northwest quarter of the Northeast quarter, a distance of 1320 feet, more or less, to the Southwest corner thereof; thence West along the South line of the Northeast quarter of the Northwest quarter of said Section 25, a distance of 1320 feet, more or less, to the Southwest corner thereof; thence North along the West line of the said Northeast quarter of the Northwest quarter, a distance of 1320 feet, more or less, to the Northwest corner thereof; thence West along the South line of the Southwest quarter of the Southwest quarter of said Section 24, a distance of 1320 feet, more or less, to the Southwest corner thereof and the Point of Beginning.

Land containing 918 acres, more or less.

REGISTERED **PROFESSIONAL** LAND SURVEYOR Transf Harly **OREGON** JULY 13, 1979 THOMAS J. HANLEY

APPROVALS

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

Renews June 30, 2007

We the undersigned officers in and for Baker County, Oregon do hereby appr	cove this are in the
Baker County Surveyor by: Rich G Mana	
Baker County Surveyor by:; Date; Date; Date; Date;	ECEMBER 13, 2005.
; Date;	2-15 2005.

I hereby certify that all taxes for the subject property have been paid as required.

Baker County Tax Collector by: _ State of Oregon) I do hereby certify that the annexed major partition plat was received for recording on the 15th day of Dec., 2005 County of Baker at**1:05** o'clock **P** M., and recorded in Baker County records

Baker County Clerk by: Damara J. Green, Co. Clerk by Karen Philly Bepity
SHEET 2 OF 2