

EASEMENTS/EXCEPTIONS

1. Subject to easements in connection with Big Flat Ditch and China Creek Ditch.
2. Subject to the rights of the public in and to that portion lying below the high water mark of the North Fork Burnt River.
3. Subject to the rights of the public in roads and highways.
4. Agreement, including the terms and provisions thereof, between L.M. Barnett, L.D. King, J.B. Hardman, J. Lewis Taylor, George Morin, Louis Morin, Robert Mason and Carl Mason, their heirs and assigns, regarding a water ditch, recorded September 4, 1906, in Book "F", at Page 382, Baker County Lease and Agreement Records. Not locatable without the benefit of survey.
5. Reservation of all coal and other mineral rights, including the terms and provisions thereof, as reserved in patent recorded June 7, 1945, in Book 137, at Page 47, Baker County Deed Records. Affects the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, the W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 29, and the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 30.
6. Easement, including the terms and provisions thereof, in favor of the United States of America, acting by and through the Forest Service, U.S.D.A., and its assigns, to locate, construct, relocate, maintain, patrol and repair a forest truck trail, 66 feet in width, recorded April 20, 1951, in Book 156, Page 275, Baker County Deed Records. Approximate location of easement is as shown hereon. Affects the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31 and N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 32.
7. Easement, including the terms and provisions thereof, in favor of the United States of America, and its assigns, to use, maintain, control and repair a road, together with the right to locate, construct, use, maintain, control and repair spur roads and extensions to said road, recorded January 24, 1961, in Book 171, Page 413, Baker County Deed Records. Approximate location of easement is as shown hereon. Affects the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of Section 29, E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 31, and the W $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 32.
8. Easement, including the terms and provisions thereof, in favor of the United States of America, and its assigns, to use, maintain, control and repair a road, together with the right to locate, construct, use, maintain, control and repair spur roads and extensions to said road, recorded February 1, 1961, in Book 171, Page 437, Baker County Deed Records. Affects the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31. Not locatable without benefit of survey.
9. Easement and Right of Way, including the terms and provisions thereof, in favor of the United States of America, and its assigns, for a road to be located, constructed, reconstructed, improved, used, operated, patrolled and maintained, 66 feet in width, recorded February 25, 1963, in Book 173, Page 578, Baker County Deed Records. Approximate location of easement is as shown hereon. Affects Lot 3, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31.
10. Easement and Right of Way, including the terms and provisions thereof, in favor of the United States of America, and its assigns, for a road to be located, constructed, reconstructed, improved, used, operated, patrolled and maintained, 132 feet in width, recorded February 3, 1969, in Deed 69 05 002, Baker County Deed Records. Approximate location of easement is as shown hereon. Affects the W $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of Section 31, the N $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32.

DITCH EASEMENT

Easement is conveyed to those with a legal water right for irrigation beyond the boundary of said parcel fed by any existing improved ditch. To those persons, is granted a perpetual, non-exclusive easement for it and its laterals, feeders and sub-ditches, headgates and other appurtenances to operate, use, maintain, etc., restore and repair, with heavy equipment when needed, the existing ditch in the same manner as same presently exists upon, over and across the property as shown on the annexed minor partition plat. The total width shall equal the bank to bank ditch width, plus 15 feet beyond the bank on each side of the ditch. Reasonable access to the easement will be granted at location designated by the property owner, unless other reasonable access is available.

NARRATIVE

The purpose of this plat for Blue Mountain Ranch, LLC, is to partition the above described land into three parcels. Baker County Deed B06 06 0148 provided the property description for the subject property. All parcels on this partition are unsurveyed.

HANLEY ENGINEERING, INC.
 P.O. BOX 701, 2043 MAIN STREET, BAKER CITY, OREGON 97814 (541) 523-3803

PARTITION PLAT NO. P2006-016

SURVEYOR'S CERTIFICATE

I, Thomas J. Hanley, certify that I have correctly platted three parcels of land on this partition plat in accordance with O.R.S. Chapter 92. The boundary of the partition is as follows; Land located in Sections 20, 29, 30, 31 and 32, Township 11 South, Range 37 East, Willamette Meridian, Baker County, Oregon, more particularly described as follows:

- SECTION 20:** The Southwest quarter of the Southeast quarter, and the Southeast quarter of the Southwest quarter.
- SECTION 29:** The West half of the Northeast quarter, the East half of the Northwest quarter, and the Southwest quarter.
- SECTION 30:** The South half of the Southeast quarter.
- SECTION 31:** The Northeast quarter, the East half of the Northwest quarter, the East half of the Southwest quarter, the West half of the Southeast quarter, and Government Lots 2 and 3.
- SECTION 32:** The Northwest quarter, and the West half of the Northeast quarter.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Thomas J. Hanley
 OREGON
 JULY 13, 1979
 THOMAS J. HANLEY
 1817

Renews June 30, 2007

DECLARATION

Know all people by these presents that Blue Mountain Ranch, LLC is the owner of the land represented on this partition plat, and more particularly described in the accompanying Surveyor's Certificate and it caused the same to be partitioned into three parcels as shown, in accordance with O.R.S. Chapter 92 and does hereby grant the ditch easement as described hereon.

Mark Spitsbergen
 Mark Spitsbergen
 Blue Mountain Ranch, LLC

Anne Spitsbergen
 Anne Spitsbergen
 Blue Mountain Ranch, LLC

ACKNOWLEDGMENT

State of California S.S.
 County of San Diego

On August 16, 2006 before me did personally appear the within named Mark Spitsbergen and Anne Spitsbergen, owners of Blue Mountain Ranch, LLC, who acknowledged to me that they executed the same freely and voluntarily.

Kimberly Childers
 comm. # 11685418
 San Diego County

Kimberly Childers
 NOTARY PUBLIC
 My Commission Expires 8-1-2010

APPROVALS

We the undersigned officers in and for Baker County, Oregon do hereby approve this minor partition plat.

Baker County Surveyor by: *Rich G. Manning*; Date August 11 2006.

Baker County Planning by: *Jama Phillips*; Date 8-18-06 2006.

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

Baker County Tax Collector by: *Alice Furlinger*; Date 8-18-06 2006.

State of Oregon }
 County of Baker } S.S.
 I do hereby certify that this minor partition plat was received for recording on the 18th day of August, 2006 at 2:00 o'clock P.M., and recorded in Baker County records and is hereby approved.

Baker County Clerk by: *Jamara J. Green, County Clerk*
 by *Jama Phillips, Deputy*