

EASEMENTS/EXCEPTIONS

1. Rights of the public and of governmental bodies in and to any portion of the herein described premises lying below the mean high water mark of ditches and/or creeks.
2. Rights of the public in and to any portion of the herein described premises lying within the boundaries of roads.
3. Pole line easement granted to Idaho Power Company by instrument, including the terms and provisions thereof, for electronic transmission, distribution and telephone circuits, recorded December 31, 1936, in Deed Book 123, Page 227, recorded June 27, 1939, in Deed Book 127, page 220, over the Southeast quarter of the Southeast quarter of Section. 1, T. 8 S., R. 46 E., W.M.
4. The premises herein described are within and subject to the statutory powers, including the power of assessment, of Fish Lake Improvement Company.
5. Agreement, including the terms and provisions thereof, between Eva Hendrix, James J. Hendrix, Monique G. Hendrix and Patrick H. Smith, thier heirs and assigns, regarding a water ditch, recorded July 18, 2007, Baker County Deed No. B07-30-0001. Not locatable without benefit of survey.

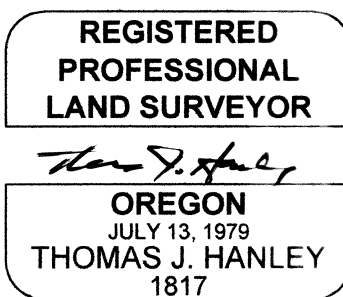
DITCH EASEMENT

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 it's 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 Patrick H. Smith is to partition the above described land into two parcels. Baker County Deed #91-25-099 provided the property description for the subject property. Both parcels on this partition are unsurveyed. Intended division line between Parcel 1 and Parcel 2 is Buchanan Loop (County Road No. 1017).

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



Renews June 30, 2009

PARTITION PLAT NO.

P2007-009

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. The boundary of the partition is as follows:
Land located in Sections 1 and 12, Township 8 South, Range 46 East, Willamette Meridian, Baker County, Oregon, more particularly described as follows:

- SECTION 1: The East half of the Southeast quarter and the Southeast quarter of the Northeast quarter.
SECTION 12: The Northeast quarter of the Northeast quarter and the North half of the South half of the Northeast quarter.

Land located in Sections 5, 6, 7, and 8, Township 8 South, Range 47 East, Willamette Meridian, Baker County, Oregon, more particularly described as follows:

- SECTION 5: The South half of the Southwest quarter.
SECTION 6: Government lots 3, 5, 6, and 7, the Southeast quarter, the East half of the Southwest quarter, and the Southeast quarter of the Northwest quarter.
SECTION 7: The East half of the Northeast quarter, the North half of the Southeast quarter lying Northeasterly of Baker-Homestead Highway Northeasterly Right of Way, the Southwest quarter of the Northeast quarter. All land in the Northwest quarter, the Northwest quarter of the Northeast quarter and the Northeast quarter of the Southwest quarter lying North and East of the following described property line:
Commencing at the Northwest corner of said Section; thence S. 0° 01' 39" E., 923.07 feet, along West line of said Section; thence N. 89° 15' 49" E., 31.00 feet to the Point of Beginning; thence N. 89° 15' 49" E., 2835.90 feet; thence S. 53° 38' 01" W., 179.61 feet; thence S. 35° 30' 09" W., 234.49 feet; thence S. 27° 09' 18" W., 221.96 feet; thence S. 08° 33' 59" W., 59.15 feet; thence S. 03° 49' 38" E., 161.04'; thence S. 03° 54' 33" W., 100.93 feet; thence S. 45° 19' 06" W., 224.87 feet; thence S. 26° 42' 39" W., 182.14 feet; thence S. 10° 07' 00" E., 171.93 feet; thence S. 29° 43' 53" E., 249.75 feet; thence S. 35° 07' 20" E., 408.50 feet; thence S. 01° 10' 35" E., 260.76 feet, to intersect the Northerly Right of Way line of Baker-Homestead Highway.
SECTION 8: The Northwest quarter, the North half of the Southwest quarter and the Southwest quarter of the Southwest quarter.

Excepting therefrom any portion of the herein described land lying within the boundaries of Hooker Flat Road (Baker County Road No. 1007), Buchanan Loop (Baker County Road No. 1017) and Baker-Homestead Highway (U.S. Highway No. 86).

Land containing 1269.51 +/- acres.

DECLARATION

Know all people by these presents that Patrick H. Smith is the owner of the land represented on the annexed plat, and more particularly described in the accompanying Surveyor's Certificate and has 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 hereon.

Patrick H. Smith
Patrick H. Smith

ACKNOWLEDGMENT

State of Oregon }
County of Baker } S.S.

On August 20, 2007 before me did personally appear the within named Patrick H. Smith whom acknowledged to me that he executed the same freely and voluntarily.



Beverly J. White
NOTARY PUBLIC
My Commission Expires 1-9-09

APPROVALS

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

Baker County Surveyor by: [Signature]; Date August 17 2007.
Baker County Planning by: [Signature]; Date August 20 2007.

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

Baker County Tax Collector by: [Signature]; Date Aug. 20 2007.

State of Oregon }
County of Baker } S.S.

I do hereby certify that the annexed minor partition plat was received for recording on the 20th day of Aug., 2007 at 9:40 o'clock A.M., and recorded in Baker County records and is hereby approved.

Baker County Clerk by: [Signature]