

LAND PARTITION PLAT NO. P2009-009

BEING A PARTITION OF PARCEL 2 OF PARTITION PLAT NO. P2000-003
SITUATED IN THE SW1/4SE1/4 OF SECTION 16 AND IN THE
N1/2NE1/4 OF SECTION 21, T.8S., R.46E., W.M.,
BAKER COUNTY, OREGON
SURVEY COMPLETED MARCH 25, 2009

SURVEYOR'S CERTIFICATE

I, JASON L. HATFIELD, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED THE DIVISION LINE BETWEEN PARCEL 1 AND PARCEL 2 OF THIS PARTITION, AND THAT I HAVE SURVEYED A PORTION OF THE EXTERIOR BOUNDARY OF THIS PARTITION. SAID PARTITION BEING SITUATED IN THE SE1/4 SECTION 16 AND IN THE NE1/4 SECTION 21, T.8S., R.46E., W.M., BAKER COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARTITION PLAT NO. P2000-003, RECORDED JULY 21, 2000, IN BOOK 00 30 0015 AND AMENDED BY AFFIDAVIT OF CORRECTION RECORDED JULY 29, 2000 IN BOOK 00 30 0134.

SAID TRACT CONTAINING 28 ACRES, MORE OR LESS.

I DO HEREBY DESIGNATE THE NW CORNER OF PARCEL 1 OF LAND PARTITION NO. P2000-003 AS THE INITIAL POINT OF THIS PARTITION.

Jason L. Hatfield
JASON L. HATFIELD, PLS #69454
BENCHMARK LAND SURVEYING

SUBJECT TO THE FOLLOWING:

- RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
- RIGHTS OF THE PUBLIC AND GOVERNMENTAL BODIES IN AND TO ANY PORTION OF THE PREMISES HEREIN DESCRIBED LYING BELOW THE MEAN HIGH WATER MARK OF SAG CREEK.
- ANY AND ALL MATTERS, INCLUDING EASEMENTS AND ASSESSMENTS, IF ANY, PERTAINING TO THE MCMULLEN DITCH AND PONDS CROSSING SAID PROPERTY.
- PUBLIC TELEPHONE LINE EASEMENT, GRANTED TO THE SECRETARY OF THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR AND ON BEHALF OF THE UNITED STATES OF AMERICA BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED JULY 28, 1939, IN DEED BOOK 127, PAGE 307. APPROXIMATE LOCATION SHOWN HEREON. NO WIDTH IS SPECIFIED. NO ATTEMPT WAS MADE TO LOCATE SAID EASEMENT ON THE GROUND.
- PRIVATE POLE LINE EASEMENT GRANTED TO IDAHO POWER COMPANY BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED AUGUST 14, 1939, IN DEED BOOK 127, PAGE 356. NOT PLOTTED DUE TO INSUFFICIENT DATA IN THE DEED DESCRIPTION. NO WIDTH IS SPECIFIED.
- PUBLIC SEWER LINE EASEMENT GRANTED TO THE UNITED STATES OF AMERICA BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED JULY 12, 1977, IN DEEDS 77 28 048, AS DELINEATED THEREON. APPROXIMATE LOCATION SHOWN HEREON. SAID EASEMENT IS 10 FEET IN WIDTH. NO ATTEMPT WAS MADE TO LOCATE SAID EASEMENT ON THE GROUND.
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

REFERENCES

RECORD MAP OF SURVEY NO.'S 8-46-4, 8-46-20 & 8-46-54
DEED RECORD INSTRUMENT NO.'S 6809021 & 7221070
DEED RECORD BOOK 173 PAGE 117
ELKHORN TITLE COMPANY FILE NO. 18303
RECORD LAND PARTITION PLAT NO.'S P1993-011, P2000-003
AND P2003-017
OREGON HIGHWAY DEPT. DRAWING NO.'S 5B-30-19, 8B-10-5,
1R-2-611 & 1R-5-587

STATEMENT OF WATER RIGHTS

THERE ARE WATER RIGHTS APPURTENANT TO THIS PARTITION AS LISTED UNDER CERTIFICATES 10219 AND 10437

APPROVALS

APPROVED THIS 28 DAY OF May, 2009

Thomas G. Halley
BAKER COUNTY SURVEYOR

APPROVED THIS 28 DAY OF October, 2009

for *Halley*
BAKER COUNTY PLANNING DIRECTOR

ALL AD VALOREM AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.

Alisa Surber
BAKER COUNTY TAX COLLECTOR
DATE: 10/28/09

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 28 DAY OF October, 2009 AT 3:15 O'CLOCK P.M., AND RECORDED AS PARTITION PLAT NO. P2009-009, BAKER COUNTY RECORDS.

Jamara J. Green Co. Clerk
BAKER COUNTY CLERK by *Karen Phillips, Deputy*

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jason L. Hatfield
OREGON
NOVEMBER 30, 2007
JASON L. HATFIELD
#69454
EXPIRES: 6/30/2011

NOTES:

- THE NORTH LINE OF SECTION 21 IS PROTRACTED FOR GENERAL INFORMATION ONLY.
- THE UNSURVEYED PORTIONS OF ALL CREEKS, DITCHES AND HIGHWAYS ARE APPROXIMATE.
- ALL UNSURVEYED BEARINGS AND DISTANCES ARE APPROXIMATE.
- THE COMMON BOUNDARY LINE BETWEEN PARCELS 1 AND 2 IS THE CENTERLINE OF FOOTHILL DITCH AND SAG CREEK, AS SHOWN HEREON.
- THE UNSURVEYED LINES AND AREAS MAPPED HEREON MAY CHANGE UPON EXECUTION OF AN ACTUAL SURVEY.

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF ROB ELLINGSON, PRESIDENT OF ELLINGSON LUMBER COMPANY. THE PURPOSE WAS TO SURVEY THE NOMINAL CENTERLINE OF PORTIONS OF SAG CREEK AND FOOTHILL DITCH, BEING THE DIVISION LINE BETWEEN PARCELS 1 AND 2, AS SHOWN HEREON.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. WE MADE FIELD MEASUREMENTS TO LOCATE APPURTENANT MONUMENTS SHOWN ON RECORD MAP OF SURVEY NO.'S 8-46-4, 8-46-20 AND 8-46-54 AND RECORD LAND PARTITION PLAT NO.'S P1993-011 AND P2000-003. I ACCEPT THE APPURTENANT FOUND MONUMENTS FROM THESE REFERENCES, AS SHOWN.

WE FOUND A 2" IRON PIPE NEAR THE 1/4 CORNER BETWEEN SECTIONS 16 AND 21. I SEARCHED THE AVAILABLE COUNTY SURVEYOR'S RECORDS, BUT WAS UNABLE TO FIND A RECORD OF THIS MONUMENT. OREGON STATE HIGHWAY DEPARTMENT DRAWING NO. 8B-10-5 DATED 1958 SHOWS A MONUMENT SYMBOL AT THE 1/4 CORNER WITH A NOTE THAT SAYS "1/4 COR. RESET". MAP OF SURVEY NO. 8-46-4, PERFORMED BY HANLEY ENGINEERING IN 1964 CONTAINS A NOTE THAT SAYS "RESET 1/4 COR. WITH IRON PIN, USING HWY REFERENCES". RECORD LAND PARTITION PLAT NO. P1993-011, PERFORMED BY HANLEY ENGINEERING NOTES THAT THE 1/4 CORNER MONUMENT IS MISSING, AND APPARENTLY WAS NEVER RESET. I CONTACTED OREGON DEPARTMENT OF TRANSPORTATION, BUT THEY WERE UNABLE TO PRODUCE A COPY OF THE FIELD SURVEY NOTES ASSOCIATED WITH DRAWING NO. 8B-10-5.

NO NEW MONUMENTS WERE SET FOR THIS SURVEY.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT ELLINGSON LUMBER COMPANY, AN OREGON CORPORATION, DOES HEREBY DECLARE THAT SAID CORPORATION IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED PLAT.

SAID CORPORATION DOES HEREBY GRANT TO THOSE WITH A LEGAL WATER RIGHT FOR IRRIGATION BEYOND THE BOUNDARY OF SAID PARCELS FED BY ANY EXISTING IMPROVED DITCH, 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. 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.

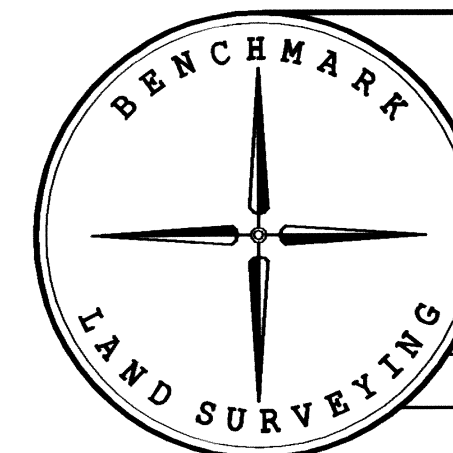
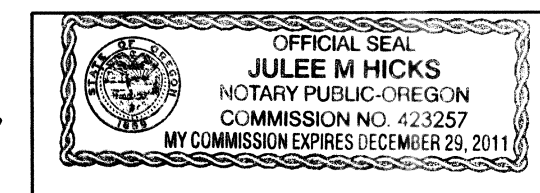
Robert P. Ellingson, III
ROBERT P. ELLINGSON, III
PRESIDENT

ACKNOWLEDGMENT

STATE OF OREGON }
COUNTY OF BAKER } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 5/29, 2009,
BY ROBERT P. ELLINGSON, III, PRESIDENT OF ELLINGSON LUMBER COMPANY

Julee M. Hicks
JULEE M. HICKS
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 12/29/2011



BENCHMARK LAND SURVEYING
217 N. CANYON BLVD. JOHN DAY, OREGON
2101 MAIN STREET, STE 223 BAKER CITY, OREGON
541-575-1251 ~ 800-699-0516

LAND PARTITION
BEING A PARTITION OF PARCEL 2 OF PARTITION PLAT NO. P2000-003
SITUATED IN THE SW1/4SE1/4 OF SECTION 16 AND IN THE
N1/2NE1/4 OF SECTION 21, T.8S., R.46E., W.M.
BAKER COUNTY, OREGON

SURVEYED FOR	ELLINGSON LUMBER COMPANY	
SURVEYED BY	JLH & MCS	3/25/2009
Scale: 1"=200'	Drawn by: JLH	SHEET 2 OF 2