

LAND PARTITION PLAT NO. P2011-003

SITUATED IN GOVERNMENT LOT 1, SECTION 18, T.10S., R.38E., W.M.,
BAKER COUNTY, OREGON
SURVEY COMPLETED JANUARY 5, 2011

SURVEYOR'S CERTIFICATE

I, JASON L. HATFIELD, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE PARCELS SHOWN ON THIS PARTITION PLAT, SAID PARTITION BEING SITUATED IN BAKER COUNTY, OREGON, DESCRIBED AS FOLLOWS:

TWP. 10 S., R. 38 E, W.M.:

ALL THAT PORTION OF GOVERNMENT LOT 1 IN SECTION 18 LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE SUMPTER VALLEY STATE HIGHWAY NO. 7, AND NORTHERLY OF THAT CERTAIN PARCEL OF LAND CONVEYED TO THE SUMPTER VALLEY DREDGING COMPANY, A CORPORATION, BY INSTRUMENT RECORDED JANUARY 17, 1942, IN BOOK 131, PAGE 179, BAKER COUNTY DEED RECORDS.

THIS PARTITION CONTAINS 6.84 ACRES, MORE OR LESS.

I DO HEREBY DESIGNATE THE NW CORNER OF SECTION 18, T.10S., R.38E., W.M. AS THE INITIAL POINT OF THIS LAND PARTITION.


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.
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

REFERENCES

- RECORD MAP OF SURVEY NO.'S 10-38-10, 10-38-14, 10-38-119 & 10-37-35
- DEED RECORD INSTRUMENT NO.'S 84 38 032, 86 22 032 & 73 36 010
- DEED RECORD BOOK W PAGE 377 & BOOK 131 PAGE 179
- AMERITITLE LOT BOOK REPORT NO. 29083
- OREGON HIGHWAY DEPT. DRAWING NO. 8B-16-13
- 1891 PLAT OF THE TOWN OF MCEWEN

STATEMENT OF WATER RIGHTS

THERE ARE WATER RIGHTS APPURTENANT TO THIS PARTITION AS LISTED UNDER CERTIFICATE RECORDED IN VOLUME 5, PAGE 4152

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF DAN BAKER, ON BEHALF OF THE POWDER RIVER RURAL FIRE PROTECTION DISTRICT AND DAN WARNOCK, ON BEHALF OF WARNOCK RANCHES, INC. THE PURPOSE OF THIS SURVEY WAS TO MONUMENT PARCELS 1 AND 2 OF THIS PARTITION, AS SHOWN.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE EXISTING CONTROLLING MONUMENTS SHOWN ON RECORD MAP OF SURVEY NO.'S 10-38-10, 10-38-14, 10-38-119, 10-37-35 AND OREGON STATE HIGHWAY DEPARTMENT DRAWING NO. 8B-16-13.

ALL EIGHT OF THE ORIGINAL G.L.O. MONUMENTS OF SECTION 18 HAVE BEEN DECLARED LOST IN PREVIOUS SURVEYS, MOSTLY DUE TO THE DREDGING THAT HAS OCCURRED. AS A RESULT, THERE HAS BEEN EXTENSIVE PROPORTIONING DONE TO REESTABLISH THESE CORNERS. JAMES HANLEY, PLS, HAS PERFORMED THE MAJORITY OF THESE SURVEYS. ON THE NARRATIVE OF SURVEY 10-38-119, MR. HANLEY STATES THAT HE HAD SUFFICIENT DATA FROM PREVIOUS SURVEYS TO CALCULATE THE COORDINATE OF THE NW1/16 CORNER SECTION 18. HOWEVER, HE SET NO MONUMENT AT THIS LOCATION. THE MAP GIVES A DIMENSION OF N.00°07'39"W., 1325.85 FEET FOR THE EAST LINE OF GOVERNMENT LOT 1. FOR THE PURPOSE OF MY SURVEY, I DID NOT RE-SUBDIVIDE SECTION 18. INSTEAD, I CHOSE TO HONOR HANLEY'S BEARING ALONG THE EAST LINE OF GOVERNMENT LOT 1, RUNNING S.00°07'39"E FROM THE FOUND MONUMENT AT THE W1/16 CORNER, AS SHOWN.

THIS PROJECT WAS ORIGINALLY A PROPERTY LINE ADJUSTMENT WITHIN A PORTION OF THE TOWN OF MCEWEN, AND SO IT BECAME NECESSARY FOR ME TO LOCATE THE LINES OF THE PLATTED TOWN. HOWEVER, DURING THE COURSE OF THE SURVEY, THE SCOPE OF THE PROJECT CHANGED. ALTHOUGH THE PLACEMENT OF MCEWEN WAS NOT NECESSARY FOR THIS LAND PARTITION, I FEEL IT IS IMPORTANT TO DISCLOSE THE RESULTS OF MY WORK WITHIN THE TOWN OF MCEWEN.

THE PLAT OF THE TOWN OF MCEWEN, DATED 1891, LACKS MUCH OF THE DATA PERTINENT TO ITS PLACEMENT WITHIN THE E1/2NW1/4 AND THE W1/2NE1/4 OF SECTION 18. IT APPEARS THE INTENT MAY HAVE BEEN THAT THE WEST LINE OF THE TOWN BE COINCIDENT WITH THE EAST LINE OF GOVERNMENT LOT 1. HOWEVER, THE PLAT LACKS AN INITIAL POINT OR ANY TIES TO GOVERNMENT CORNERS AND THERE IS NO INDICATION THAT ANY MONUMENTATION WAS SET DURING THE SURVEY, WHICH IS TYPICAL OF SUBDIVISIONS OF THAT ERA.

THE RAILROAD RIGHT OF WAY RUNS THROUGH THE MIDDLE OF THE PLATTED TOWN, AND WAS CONVEYED TO THE SUMPTER VALLEY RAILWAY COMPANY BY DEED RECORDED IN BOOK W, PAGE 377 PRIOR TO THE RECORDING OF THE PLAT. THE PLAT INDICATES THAT THE SURVEYED LOCATION OF THE RIGHT OF WAY WAS AN AS-BUILT SURVEY OF THE EXISTING TRACKS AND DEPOT. DEED BOOK W PAGE 377 CONTAINS WHAT APPEARS TO BE AN ERRONEOUS EASTING TIE TO THE N1/4 CORNER OF SECTION 18.


THERE ARE VERY FEW IMPROVEMENTS THAT EXIST WITHIN THE TOWN OF MCEWEN. I MADE FIELD MEASUREMENTS TO LOCATE THE REMAINS OF AN OLD FENCE ALONG THE WESTERLY BOUNDARY OF THE TOWN, REMAINS OF THE RAILROAD GRADE ACROSS SECTION 18 AND AN OLD HOUSE WHICH SITS ON LOT 12 AND THE W1/2 OF LOT 11 IN BLOCK 3. I HELD THE HOUSE AND THE REMAINS OF THE FENCE ALONG THE WEST SIDE FOR PLACEMENT OF THE TOWN IN EASTINGS. I HELD THE CENTERLINE OF THE RAILROAD GRADE FOR NORTHINGS, APPLYING A 00°13'31" CLOCKWISE ROTATION TO THE RECORD CENTERLINE AND THE TOWNSITE TO MATCH THE EXISTING RAILROAD CENTERLINE. I BELIEVE THESE IMPROVEMENTS ARE THE BEST AVAILABLE EVIDENCE FOR THE PLACEMENT OF THE TOWN. THIS PLACEMENT CAUSES AN APPARENT GAP BETWEEN THE WEST LINE OF THE TOWN AND THE PRESENT DAY LOCATION OF THE EAST LINE OF GOVERNMENT LOT 1. THIS MAY BE ATTRIBUTED TO THE EXTENSIVE PROPORTIONING REQUIRED TO REESTABLISH THE GOVERNMENT CORNERS OF SECTION 18. IT SEEMS LOGICAL TO ASSUME THAT THE 1891 SURVEYOR WHO PLATTED THE TOWN OF MCEWEN SHOULD HAVE HAD A GOOD IDEA OF THE TRUE LOCATION OF THE EAST LINE OF GOVERNMENT LOT 1 SINCE IT WAS A MERE 9 YEARS AFTER THE G.L.O. SURVEY.

I FOUND THE BRASS DISC SET IN CONCRETE AT THE P.I. (CENTERLINE STATION 287+28.22) SET BY O.D.O.T. AND SHOWN ON DRAWING NO. 8B-16-13. I HELD THIS MONUMENT TO POSITION THE HIGHWAY RIGHT OF WAY. I ALSO HELD THE RECORD BEARINGS SHOWN ON DRAWING 8B-16-13, WHICH ARE CONSISTENT WITH SUBSEQUENT SURVEYS DONE BY HANLEY IN THE AREA.

THE SOUTHERLY LINE OF PARCEL 2 WAS DETERMINED BY MAKING FIELD MEASUREMENTS TO LOCATE THE REMAINS OF THE OLD RAILROAD GRADE CROSSING GOVERNMENT LOT 1.

NEW MONUMENTS WERE SET AT POSITIONS APPROVED BY THE RURAL FIRE DISTRICT AND MR. WARNOCK, AND ACCORDING TO THE EVIDENCE FOUND, AS SHOWN HEREON.

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
NOVEMBER 30, 2007
JASON L. HATFIELD
#69454

EXPIRES: 6/30/2011

APPROVALS


APPROVED THIS 5TH DAY OF May, 2011


BAKER COUNTY SURVEYOR

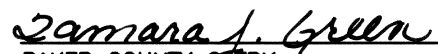
APPROVED THIS 10TH DAY OF June, 2011


BAKER COUNTY PLANNING DIRECTOR

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


BAKER COUNTY TAX COLLECTOR
DATE: 6/21/11

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 23 DAY OF JUNE, 2011 AT 8:30 O'CLOCK A.M., AND RECORDED AS PARTITION PLAT NO. P2011-003, BAKER COUNTY RECORDS.

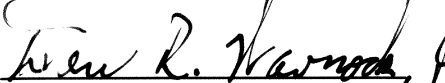

BAKER COUNTY CLERK
By Karon Phillips, Deputy

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WARNOCK RANCHES, INC., 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.

EASEMENT A
SAID CORPORATION DOES HEREBY CREATE AND RESERVE A PRIVATE EASEMENT 12 FEET IN WIDTH, OVER AND ACROSS A PORTION OF PARCEL 1, FOR PURPOSES OF INGRESS AND EGRESS AND PLACEMENT OF UTILITIES TO PARCEL 2 AND ALL OTHER LANDS OWNED BY SAID CORPORATION, IN SECTIONS 13 AND 18 OF TWP. 10 S., R. 38 E., W.M. SAID EASEMENT INCLUDES THE LANDS DESCRIBED IN THE PRECEDING SENTENCE AND ANY FUTURE SUBDIVISIONS OR PARTITIONS THEREOF.

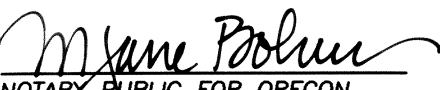
EASEMENT B
SAID CORPORATION IS ALSO THE OWNER OF ADJOINING LAND AS EVIDENCED BY THAT CERTAIN DEED RECORDED AS INSTRUMENT NO. 73 36 010, BAKER COUNTY DEED RECORDS. SAID CORPORATION DOES HEREBY CREATE A NON-EXCLUSIVE PRIVATE ACCESS EASEMENT OF VARIABLE WIDTH, TO THE BENEFIT OF PARCEL 1, OVER AND ACROSS SAID ADJOINING LAND FOR THE PURPOSE OF INGRESS AND EGRESS TO SUMPTER VALLEY HIGHWAY NO. 7, AS SHOWN ON THE ANNEXED PLAT.

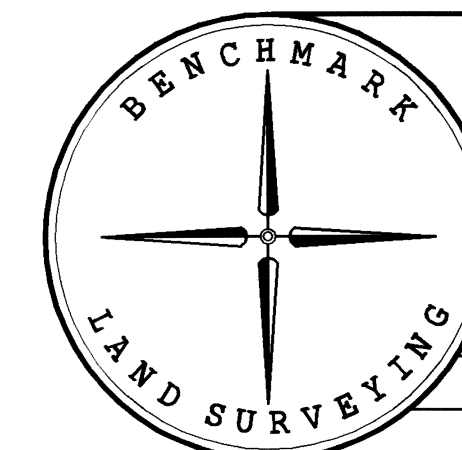
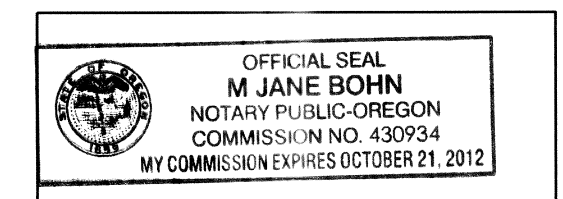

DAN R. WARNOCK, JR.
SECRETARY, WARNOCK RANCHES, INC.

ACKNOWLEDGMENT

STATE OF OREGON } SS
COUNTY OF BAKER } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 15, 2011,
BY DAN R. WARNOCK, JR., SECRETARY OF WARNOCK RANCHES, INC.


NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 10-21-2012



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
SITUATED IN GOVERNMENT LOT 1, SECTION 18, T.10S., R.38E., W.M.,
BAKER COUNTY, OREGON

SURVEYED FOR	WARNOCK RANCHES, INC.	
SURVEYED BY	JLH & MCS	1/5/2011
Scale: 1"=100'	Drawn by: JLH	SHEET 2 OF 2