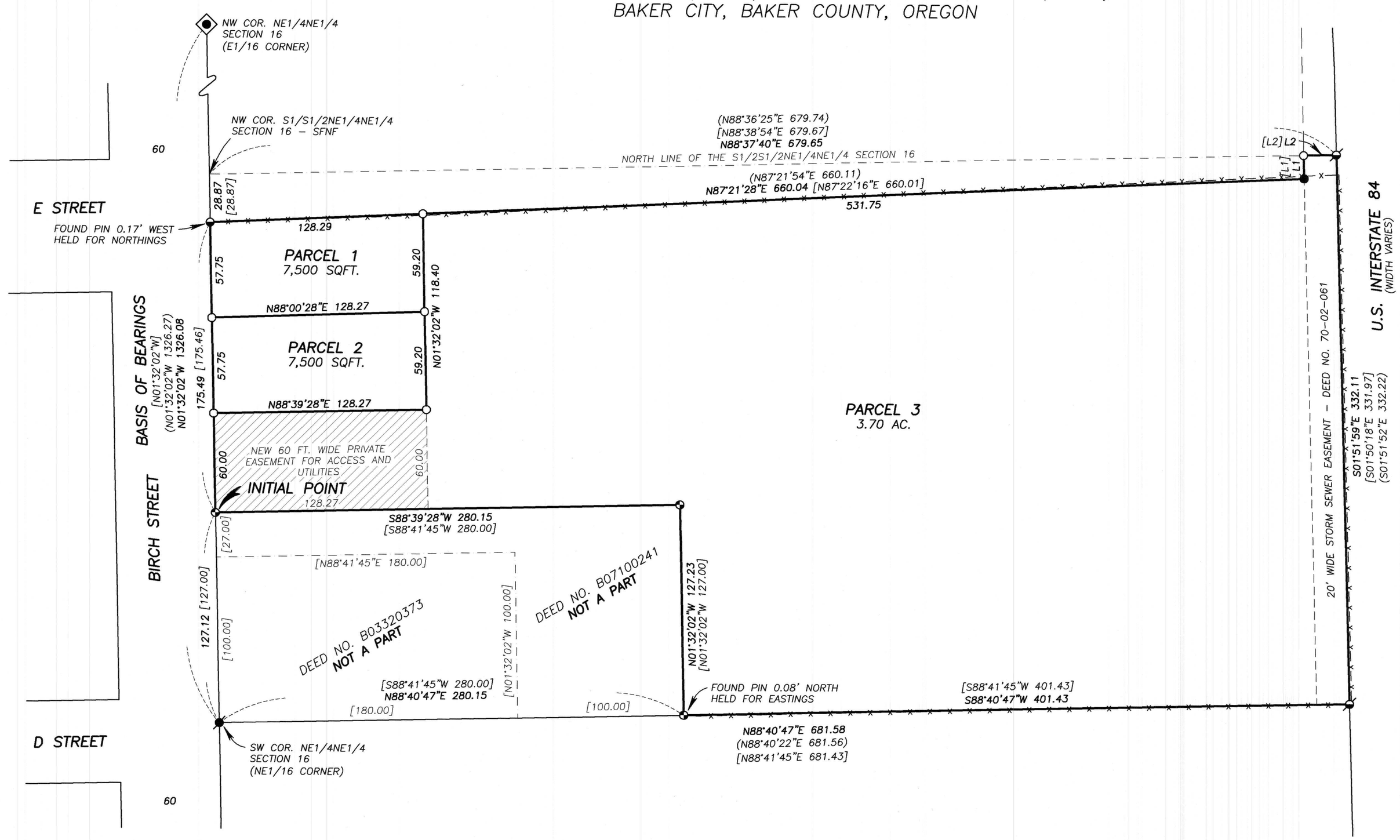
LAND PARTITION PLAT NO. P 2019-007

SITUATED IN THE NE1/4NE1/4 SECTION 16, T.9S., R.40E., W.M.,
BAKER CITY, BAKER COUNTY, OREGON



BASIS OF BEARINGS

SURVEY NO. 9-40-25BC
THE WEST LINE OF THE NE1/4NE1/4 SECTION 16, T.9S., R.40E., W.M., BEARS N.01°32'02"W., AS SHOWN

LEGEND

- FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "CITY OF BAKER PLS 2446" SET BELOW GRADE INSIDE A STEEL CITY MONUMENT BOX WITH LID, FROM SURVEY NO. 9-40-445
- FOUND 5/8" IRON PIN WITH YELLOW PLASTIC CAP MARKED "PLS 699" FROM SURVEY NO. 9-40-629
- FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "HANLEY ENGR PLS 1206" FROM SURVEY NO. 9-40-207A
- FOUND 5/8" IRON PIN WITH BROKEN REMAINS OF YELLOW PLASTIC CAP FROM 9-40-207A
- FOUND 1/2" IRON PIN WITH NO CAP FROM SURVEY NO. 9-40-71BC
- FOUND 5/8" IRON PIN WITH 1½" ALUMINUM CAP MARKED "ODOT 2010" FROM SURVEY NO. 9-40-683
- SET 5/8"X30" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "BENCHMARK SURVEYING"
- ( ) RECORD BEARING AND DISTANCE FROM SURVEY NO.'S 9-40-25BC, 9-40-71BC AND 9-40-207A
- [ ] RECORD BEARING AND DISTANCE FROM SURVEY NO. 9-40-629
- X—X FENCE LINE
- - - - DEED LINE
- SFNF MONUMENT SEARCHED FOR, NOT FOUND

LINE TABLE

LINE	BEARING	DIST.
L1	N01°32'02"W	14.24
[L1]	N01°32'02"W	14.22
L2	N88°37'40"E	19.73
[L2]	N88°38'54"E	19.78

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
NOVEMBER 30, 2007
JASON L. HATFIELD
#69454
EXPIRES: 6/30/2021

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING
217 N. CANYON BLVD. JOHN DAY, OREGON
1207 DEWEY AVE., BAKER CITY, OREGON
541-575-1251 ~ 541-523-5852

LAND PARTITION
A TRACT OF LAND SITUATED IN THE NE1/4NE1/4 SECTION 16, T.9S., R.40E., W.M., BAKER CITY, BAKER COUNTY, OREGON

SURVEYED FOR	HADEN DAMSCHEN & JAMES MICHEL	
SURVEYED BY	JLH	7/2/2019
SCALE: 1"=50'	DRAWN BY: JLH	SHEET 1 OF 2

LAND PARTITION PLAT NO. P2019-007

SITUATED IN THE NE1/4NE1/4 SECTION 16, T.9S., R.40E., W.M.,
BAKER CITY, BAKER COUNTY, OREGON

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, PARCELS 1, 2 AND 3 OF THIS PARTITION, DESCRIBED AS FOLLOWS:

A TRACT OF LAND SITUATED IN THE S1/2S1/2NE1/4NE1/4 SECTION 16, T.9S., R.40E., W.M., BAKER CITY, BAKER COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" IRON PIN WITH YELLOW PLASTIC CAP MARKED "PLS 699" AT THE NORTHWEST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED RECORDED MARCH 6, 2007 AS DEED NO. B07100241, RECORDS OF BAKER COUNTY, OREGON, SAID POINT BEING THE INITIAL POINT OF THIS LAND PARTITION, WHICH BEARS N.01°32'02"W., 127.12 FEET FROM THE SOUTHWEST CORNER OF THE NE1/4NE1/4 SAID SECTION 16;

THENCE N.01°32'02"W., 175.49 FEET ALONG THE WEST LINE OF SAID NE1/4NE1/4 AND THE EAST RIGHT OF WAY LINE OF BIRCH STREET;

THENCE N.87°21'28"E., 660.04 FEET TO A 5/8" IRON PIN WITH A YELLOW PLASTIC CAP MARKED PLS 1206;

THENCE N.01°32'02"W., 14.24 FEET TO THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO RUSSELL C. RODE AND ROBERT F. RODE, AS TENANTS IN COMMON, BY INSTRUMENT RECORDED DECEMBER 23, 1982, AS DEED NO. 82 52 002, BAKER COUNTY DEED RECORDS, SAID LINE BEING FURTHER ESTABLISHED ON SURVEY NO. 9-40-71BC ON FILE IN THE RECORDS OF THE BAKER COUNTY SURVEYOR;

THENCE N.88°37'40"E., 19.73 FEET ALONG THE SOUTH LINE OF SAID RODE TRACT TO A 1/2" IRON PIN SET ON THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY I-84;

THENCE S.01°51'59"E., 332.11 FEET ALONG SAID WESTERLY RIGHT OF WAY LINE TO A 1/2" IRON PIN ON THE SOUTH LINE OF THE NE1/4NE1/4 OF SAID SECTION 16;

THENCE S.88°40'47"W., 401.43 FEET ALONG SAID SOUTH LINE TO THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED RECORDED MARCH 6, 2007 AS DEED NO. B07100241, RECORDS OF BAKER COUNTY, OREGON;

THENCE ALONG THE EAST LINE OF SAID TRACT, N.01°32'02"W., 127.23 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE ALONG THE NORTH LINE OF SAID TRACT, S.88°39'28"W., 280.15 FEET TO THE POINT OF BEGINNING.

THIS PARTITION CONTAINS 4.04 ACRES.

SUBJECT TO THE FOLLOWING:

1. RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
2. LIMITED ACCESS PROVISIONS CONTAINED IN DEED FROM DON HERBERT MIRES, ALSO KNOWN AS DONN H. MIRES AND AS DONN HERBERT MIRES, AND CHERYL MIRES, HUSBAND AND WIFE TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY HIGHWAY COMMISSION, WHICH PROVIDED THAT NO RIGHT OR EASEMENT OF RIGHT OF ACCESS TO, FROM OR ACROSS THE STATE HIGHWAY OTHER THAN EXPRESSLY THEREIN PROVIDED FOR SHALL ATTACH TO THE ABUTTING PROPERTY, RECORDED JANUARY 16, 1970, AS INSTRUMENT NO. 70 02 061.
3. AN EASEMENT FOR STORM SEWER, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, ITS SUCCESSORS AND ASSIGNS, RECORDED JANUARY 16, 1970 AS INSTRUMENT NO. 70 02 061. SAID EASEMENT BEING 20 FEET IN WIDTH, AS SHOWN ON THE ANNEXED PLAT.
4. EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
NOVEMBER 30, 2007
JASON L. HATFIELD
#69454

EXPIRES: 6/30/2021

APPROVALS

APPROVED THIS 26th DAY OF SEPTEMBER, 2019

Thomas D. Fiske
BAKER CITY SURVEYOR

APPROVED THIS 4th DAY OF November, 2019

Hollis Laws
BAKER CITY PLANNING DIRECTOR

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

Alice Desselberger
BAKER COUNTY TAX COLLECTOR
DATE: 11-13-19

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 13th DAY OF November, 2019 AT 9:15 O'CLOCK A.M., AND RECORDED AS LAND PARTITION PLAT NO. P2019-007, BAKER COUNTY RECORDS.

Stefanie Kirby
BAKER COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

BENCHMARK LAND SURVEYING

NARRATIVE

THIS LAND PARTITION WAS PERFORMED AT THE REQUEST OF HADEN DAMSCHEN ON BEHALF OF JAMES AND CARLA MICHEL. THE PURPOSE WAS TO DIVIDE THE MICHELS' PROPERTY INTO THREE PARCELS. THIS LAND USE ACTION WAS APPROVED BY THE BAKER CITY-COUNTY PLANNING DEPARTMENT PER CITY CASE NO. PP-19-058.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS. THE MICHELS ORIGINALLY ACQUIRED TITLE TO THE SUBJECT PROPERTY BY DEED RECORDED JUNE 5, 1989 AS DEED NO. 89 23 029. A PROPERTY LINE ADJUSTMENT SURVEY WAS PERFORMED BY LELAND MYERS, PLS, FILED JANUARY 8, 2007 AS SURVEY NO. 9-40-629. THE PROPERTY LINE ADJUSTMENT DEED WAS RECORDED MARCH 6, 2007 AS INSTRUMENT NO. 07100241.

FIELD MEASUREMENTS WERE MADE TO RECOVER CONTROLLING MONUMENTS FROM SURVEY NO.'S 9-40-71BC, 9-40-207A, 9-40-445, 9-40-629 AND 9-40-683. I SEARCHED FOR BUT DID NOT FIND THE 1/2" PIN AT THE NORTHWEST CORNER OF THE S1/2S1/2NE1/4NE1/4 OF SECTION 16, WHICH WAS SET IN SURVEY NO. 9-40-71A, AND RECOVERED IN SURVEY NO. 9-40-629. I CALCULATED THE RECORD LOCATION OF SAID CORNER ACCORDING TO SURVEY NO. 9-40-629. I FOUND THE 5/8" IRON PIN FROM SURVEY NO. 9-40-207A TO BE 0.17 FT. WEST OF THE RECORD POSITION, BUT I HELD IT FOR THE NORTHINGS OF THE CORNER. LIKEWISE, I FOUND THE 5/8" PIN FROM SURVEY NO. 9-40-629 NEAR THE SOUTHWEST CORNER OF PARCEL 3 TO BE 0.08 FT. NORTH OF LINE, BUT HELD IT FOR THE EASTINGS OF SAID CORNER. ALL OTHER FOUND MONUMENTS WERE ACCEPTED IN PLACE, AS SHOWN HEREON.

NEW MONUMENTS WERE SET IN ACCORDANCE WITH THE EVIDENCE FOUND, AND ACCORDING TO THE BAKER CITY-COUNTY PLANNING DEPARTMENT'S CITY CASE NO. PP-19-058.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, JAMES L. MICHEL AND CARLA R. MICHEL, AS TENANTS BY THE ENTIRETY, DO HEREBY DECLARE THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND WE HAVE CAUSED THE SAME TO BE PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AND WE HEREBY CREATE THE FOLLOWING EASEMENT:

A 60 FOOT WIDE PRIVATE NON-EXCLUSIVE EASEMENT FOR ACCESS AND UTILITIES, BEING SITUATED OVER, ACROSS AND UNDER A PORTION OF PARCEL 3, AS SHOWN ON THE ANNEXED PLAT. SAID EASEMENT IS CREATED FOR THE BENEFIT OF PARCELS 2 AND 3, AND MAY ALSO SERVE ANY PARCELS CREATED BY ANY FUTURE DIVISION OF PARCEL 3.

JAMES L. MICHEL

CARLA R. MICHEL

ACKNOWLEDGMENT

STATE OF ~~OREGON~~ IDAHO }
COUNTY OF ~~BAKER~~ ADA } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Sept 6, 2019, BY JAMES L. MICHEL AND CARLA R. MICHEL

NOTARY PUBLIC FOR ~~OREGON~~ Idaho
MY COMMISSION EXPIRES 2/25/2021

JUSTIN W BEKKER
NOTARY PUBLIC
MY COMMISSION EXPIRES 2-25-2021
STATE OF IDAHO
COMMISSION NUMBER 65112

REFERENCES

RECORD MAP OF SURVEY NO.'S 9-40-25, 9-40-71BC, 9-40-207A, 9-40-445, 9-40-629 AND 9-40-683

DEED RECORD INSTRUMENT NO.'S 89 23 029, 03320373 AND 07100241

AMERITITLE TITLE NO. 296458

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING
217 N. CANYON BLVD. JOHN DAY, OREGON
1207 DEWEY AVE., BAKER CITY, OREGON
541-575-1251 ~ 541-523-5852

LAND PARTITION
A TRACT OF LAND SITUATED IN THE NE1/4NE1/4 SECTION 16, T.9S., R.40E., W.M., BAKER CITY, BAKER COUNTY, OREGON

SURVEYED FOR	HADEN DAMSCHEN & JAMES MICHEL	
SURVEYED BY	JLH	7/2/2019
	DRAWN BY: JLH	SHEET 2 OF 2