

# 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 1-84;  
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:

- RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
- LIMITED ACCESS PROVISIONS CONTAINED IN DEED FROM DON HERBERT MIRE, ALSO KNOWN AS DONN H. MIRE AND AS DONN HERBERT MIRE, AND CHERYL MIRE, 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.
- 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.
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.



## APPROVALS

APPROVED THIS 26<sup>th</sup> DAY OF SEPTEMBER, 2019

Thomas D. Fick  
BAKER CITY SURVEYOR

APPROVED THIS 4<sup>th</sup> DAY OF November, 2019

Helen Davis  
BAKER CITY PLANNING DIRECTOR

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

Alia Surflinger  
BAKER COUNTY TAX COLLECTOR  
DATE: 11-13-19

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 13<sup>th</sup> DAY OF November, 2019 AT 1:50 O'CLOCK A.M., AND RECORDED AS LAND PARTITION PLAT NO. P2019-007, BAKER COUNTY RECORDS.

Stacey Kirby  
BAKER COUNTY CLERK

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

James P. Blanton  
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 MICHEL'S 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 MICHEL'S 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  
JAMES L. MICHEL

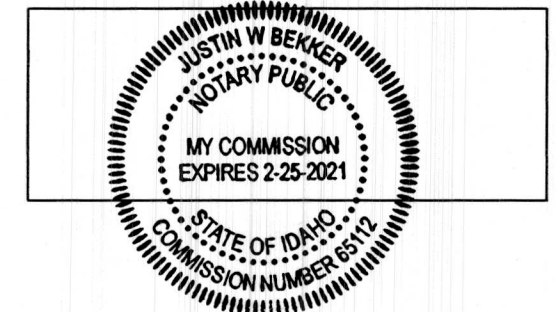
Carla R. Michel  
CARLA R. MICHEL

## ACKNOWLEDGMENT

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

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

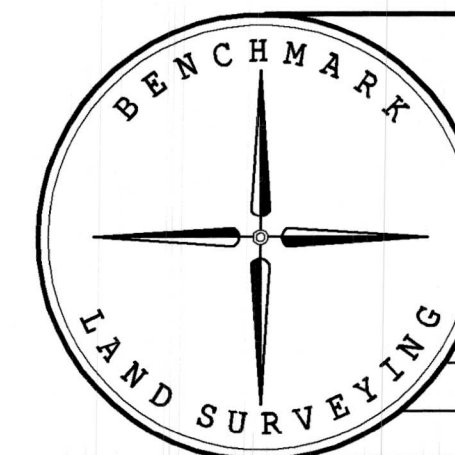
Justin W. Bekker  
NOTARY PUBLIC FOR OREGON Idaho  
MY COMMISSION EXPIRES 2/25/2021



## 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  
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 |