

804 35 0052

EASEMENTS / EXCEPTIONS

1. Utility easement granted to California–Pacific Utilities Company, a corporation, by instrument, including the terms and provisions thereof, recorded October 22, 1974, in Baker County Deed No. 74 43 023, over a 10 foot strip of land the centerline of which begins at an existing pole located approximately 1340 feet South and 883 feet West of the Northeast corner of Section 29, T. 8 S., R. 39 E., W.M.; thence N. 3° 00' W., 340 feet, more or less. Surveyed location is as shown on Sheet 3 of 4.
2. Utility easement granted to California–Pacific Utility Company, a corporation, by instrument, recorded June 15, 1976, in Baker County Deed No. 76 25 044, over a 15 foot strip of land, the centerline of which begins at an existing pole located approximately 1360 feet North and 760 feet East of the Southwest corner of the Northeast quarter of Section 29, T. 8 S., R. 39 E., W.M.; thence Westerly 660 feet, more or less. Surveyed location is as shown on Sheet 3 of 4.
3. Easement and Building Restrictions Agreement, including the terms and provisions thereof, in instrument between Alan J. Schmeits and Stephen Haberle et al, recorded April 22, 1997, in Baker County Deed No. 97 16 132.

ACCESS / UTILITY EASEMENT - HIGH COUNTRY LANE

A sixty (60) feet wide access/utility easement is hereby created by this plat. The easement shall consist of a strip of land sixty (60) feet in width, thirty (30) feet on each side of the following centerline description:
Commencing at the Northeast corner of Section 29, Township 8 South, Range 39 East, Willamette Meridian, Baker County, Oregon;
thence along the North line of the Northeast quarter of said Section 29, S. 89° 38' 59" W., 30.00 feet, to intersect the West Right of Way of Brown Road (Baker County Road No. 701); thence along said West Right of Way, S. 0° 05' 47" W., 30.00 feet, to the True Point of Beginning; thence 30 feet South of and parallel to the said North line of the Northeast quarter, S. 89° 38' 59" W., 677.51 feet; thence S. 0° 04' 34" E., 630.22 feet; thence S. 89° 38' 16" W., 1667.15 feet to the center of a 60 foot radius cul–de–sac; thence S. 89° 38' 16" W., 329.70 feet to intersect the West line of the North half of the Northeast quarter of said Section 29 and the terminus of the easement. Said easement shall be for ingress and egress and the placement of utilities to serve Lot Numbers 1 thru 13. Easement shall contain a 24' wide all weather road surface and a 50' all weather road surface turning radius at the cul–de–sac. The beneficiaries of this easement shall be limited to the owners of Lot Numbers 1 thru 13, their heirs, successors, assigns, and guests. The owners of Lot Numbers 1 thru 13, their heirs, successors, assigns, and guests shall be responsible for the maintenance of the road on the easement, to maintain it to Baker County Road Department Specifications with each property responsible for a proportionate share in respect to the total number of owners without regard to the distance of the road utilized.

NARRATIVE

The purpose of this survey and subdivision plat for Wayne C. Overton is to subdivide the herein described land into 13 lots. Baker County Partition Plat No. P2002–005 provided the proper subdivision of Section 29. Monumentation from said Partition Plat No. P2002–005 was recovered and held as the basis of bearing for this survey.

DITCH EASEMENT

Easement is conveyed to those with a legal water right for irrigation beyond the boundary of the land represented on the annexed subdivision plat, and more particularly described in the accompanying Surveyor's Certificate, 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 subdivision 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. The Bowles Ditch runs North along the West boundary of the subject property, an unnamed ditch runs East along the South boundary of the subject property, and an unnamed ditch runs Northeasterly through Lots 12, 13, and 1 as shown on Sheet 3 of 4.

REFERENCES

Baker County Partition Plat No. P2002–005.
Baker County Partition Plat No. P2003–009.
Baker County Survey No. 8–39–7.
Baker County Survey No. 8–39–44.
Baker County Deed No. 74 43 023.
Baker County Deed No. 76 25 044.
Baker County Deed No. 97 16 132.

HANLEY ENGINEERING, INC.

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

HIGH COUNTRY ESTATES SD2004-002

SURVEYOR'S CERTIFICATE

I, Thomas J. Hanley, certify that I have correctly surveyed, monumented, and subdivided the land represented on the annexed HIGH COUNTRY ESTATES plat in accordance with O.R.S. Chapter 92. The boundary of HIGH COUNTRY ESTATES SUBDIVISION is as follows:

Land located in the North half of the Northeast quarter of Section 29, Township 8 South, Range 39 East, Willamette Meridian, Baker County, Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Section 29; thence along the East line of the Northeast quarter of said Section 29, S. 0° 05' 47" W., 330.05 feet, to the Southeast corner of the North half of the Northeast quarter of the Northeast quarter of the Northeast quarter of said Section 29; thence along the South line of the said North half of the Northeast quarter of the Northeast quarter of the Northeast quarter, S. 89° 38' 38" W., 676.61 feet, to the Southwest corner thereof; thence along the East line of the West half of the Northeast quarter of the Northeast quarter of said Section 29, S. 0° 04' 34" E., 990.33 feet, to the Southeast corner thereof; thence along the South line of the North half of the Northeast quarter, S. 89° 37' 33" W., 2020.89 feet, to the Southwest corner thereof; thence along the West line of the said North half of the Northeast quarter, N. 0° 35' 36" W., 1321.28 feet, to the Northwest corner thereof; thence along the North line of the said Northeast quarter, N. 89° 58' 59" E., 2710.41 feet, to the Northeast corner of said Section 29, and the Point of Beginning.

Excepting therefrom Right of Way for Brown Road (Baker County Road No. 701).

Land Containing 66.59 acres (0.23 acres of which are within Brown Road Right of Way).

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Thomas J. Hanley

OREGON
JULY 13, 1979
THOMAS J. HANLEY
1817

Renews June 30, 2005

DECLARATION

Know all people by these presents that Wayne C. Overton is the owner/subdivider and Serve Yourself, L.L.C. is the beneficiary of the land represented on the annexed plat, and more particularly described in the accompanying Surveyor's Certificate and Wayne C. Overton has caused the same to be subdivided into 13 lots as shown, in accordance with O.R.S. Chapter 92 and does hereby grant the Ditch Easement and the Access/Utility Easement for High Country Lane to serve Lot Numbers 1 thru 13 as described hereon.

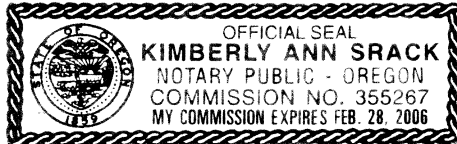
Wayne C. Overton
Wayne C. Overton

Michael R. Nelson
Serve Yourself, L.L.C.
Michael R. Nelson as attorney–in–fact
for Carney and Deborah Lansford

ACKNOWLEDGMENT

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

On 8/30, 2004 before me did personally appear the within named Wayne C. Overton and Michael R. Nelson as attorney–in–fact for Carney and Deborah Lansford who acknowledged to me that they executed the same freely and voluntarily.



Kimberly Ann Slack
NOTARY PUBLIC

My Commission Expires 2/28/06

APPROVALS

We the undersigned officers in and for Baker County, Oregon do hereby approve this HIGH COUNTRY ESTATES Plat.

Baker County Planning by: *Shawn M. Perry*; Date: 8/30/04 2004.

Baker County Surveyor by: *Shawn T. Blakely*; Date: 8/30/ 2004.

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

Baker County Treasurer by: *Alisa J. Jorgensen*; Date: 8/30 2004.

Baker County Assessor by: *Allen Phillips*; Date: 8/30/ 2004.

Baker County Commission Chair by: *Ernest Harns Jr.*; Date: 8/30 2004.

State of Oregon }
County of Baker } S.S.
I do hereby certify that the HIGH COUNTRY ESTATES Plat was received for recording on the 30th day of August, 2004 at 3:29 o'clock P M., and recorded in Baker County records and is hereby approved.

Baker County Clerk by: *Paula J. Jorgensen*