

# LAND PARTITION PLAT NO. P2020-001

SITUATED IN THE NE1/4SW1/4 SECTION 35, T.7S., R.38E., W.M.,  
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, PARCEL 1 OF THIS PARTITION, AND THAT I HAVE NOT MONUMENTED, BUT HAVE CORRECTLY MAPPED PARCEL 2 OF THIS PARTITION, SITUATED IN BAKER COUNTY, OREGON, DESCRIBED AS FOLLOWS:

TWP. 7 S., RANGE 38 E., W.M.:

SECTION 35: THE NE1/4SW1/4.

EXCEPTING THEREFROM, THE EAST 440 FEET.

CONTAINING 26.96 ACRES, OF WHICH 0.61 ACRES LIES WITHIN THE RIGHT OF WAY OF SOUTH ROCK CREEK LANE (COUNTY ROAD NO. 552).

I DO HEREBY DESIGNATE THE SOUTHEAST CORNER OF PARCEL 2 AS THE INITIAL POINT OF THIS LAND PARTITION, SAID POINT BEING N.89°54'19"W., 440.00 FEET FROM THE CENTER-SOUTH 1/16 CORNER OF SECTION 35, T.7S., R.38E., W.M.

### SUBJECT TO THE FOLLOWING:

- RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF SOUTH ROCK CREEK LANE (COUNTY ROAD NO. 552).
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

## DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, SETH A. BINGHAM AND NATALIE N. BINGHAM, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY, DO HEREBY DECLARE THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND THAT WE HAVE CAUSED THE SAME TO BE PARTITIONED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN HEREON.

Seth A. Bingham  
SETH A. BINGHAM

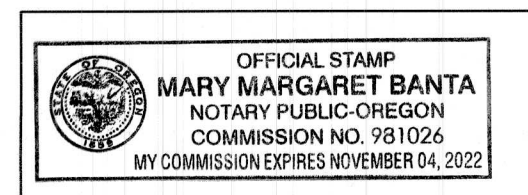
Natalie N. Bingham  
NATALIE N. BINGHAM

### ACKNOWLEDGMENT

STATE OF OREGON } SS  
COUNTY OF BAKER }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON Jan 20, 2020, BY SETH A. BINGHAM AND NATALIE N. BINGHAM

Mary Margaret Banta  
NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES 11/4/2022



## APPROVALS

APPROVED THIS 20<sup>TH</sup> DAY OF Jan., 2020.

JLH  
BAKER COUNTY SURVEYOR

APPROVED THIS 21<sup>ST</sup> DAY OF Jan., 2020.

H. Hoffman  
BAKER COUNTY PLANNING DIRECTOR

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

Alice Duellinger by Tracy Thame  
BAKER COUNTY TAX COLLECTOR  
DATE: 01/21/2020

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 21 DAY OF January, 2020 AT 9:15 O'CLOCK A.M., AND RECORDED AS LAND PARTITION PLAT NO. P2020-001 BAKER COUNTY RECORDS.

Stephanie Kirby  
BAKER COUNTY CLERK by Karen Phillips, Deputy

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT  
Jason L. Hatfield  
JASON L. HATFIELD  
BENCHMARK LAND SURVEYING, INC.

## REFERENCES

RECORD MAP OF SURVEY NO.'S 7-38-1, 7-38-67MP, 7-38-68, 7-38-70, 8-38-22, 8-38-29 AND 8-38-48

PARTITION PLAT NO. P1992-008

DEED RECORD INSTRUMENT NO.'S B04070151 AND B13330275

GENERAL LAND OFFICE FIELD NOTES

1903 SURVEY BY IRA HOFFMAN - FIELD BOOK #5 PAGE 140

AMERITITLE ORDER NO. 334486AM

BAKER COUNTY SURVEYOR'S RECORD BOOK 1 PAGE 67

BAKER COUNTY COMMISSIONER'S JOURNAL LABELED "NOV. 1885 TO APRIL 1889", PAGE 139



Jason L. Hatfield  
OREGON  
NOVEMBER 30, 2007  
JASON L. HATFIELD  
#69454  
EXPIRES: 6/30/2021

## NARRATIVE

THIS PARTITION WAS PERFORMED AT THE REQUEST OF SETH AND NATALIE BINGHAM, OWNERS OF THE SUBJECT PROPERTY AS EVIDENCED BY DEED NO. B13330275. THE PURPOSE OF THIS PARTITION IS TO DIVIDE THE SUBJECT PROPERTY INTO TWO PARCELS. THIS LAND USE ACTION WAS APPROVED BY THE BAKER COUNTY PLANNING DEPARTMENT PER ADMINISTRATIVE DECISION MNP-19-192.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS. FIELD MEASUREMENTS WERE MADE TO LOCATE APPURTENANT MONUMENTS SHOWN ON SURVEY NO.'S 7-38-1, 7-38-67MP, 7-38-70, 8-38-22 AND 8-38-29. I ALSO FOUND THAT IRA HOFFMAN, BAKER COUNTY SURVEYOR, HAD PERFORMED A SURVEY IN SECTION 35 IN 1903, RECORDED IN HIS FIELD BOOK #5 AT PAGE 140.

WILLOW CREEK LANE (COUNTY ROAD NO. 638) RUNS ALONG THE SOUTH LINE OF SECTIONS 33, 34 AND 35. MY RESEARCH DISCLOSED THAT THE ROAD WAS ESTABLISHED MAY 4, 1886 AS EVIDENCED BY THE ROAD VIEWER'S REPORT RECORDED IN THE COMMISSIONER'S JOURNAL LABELED "NOV. 1885 TO APRIL 1889" AT PAGE 139. IN THE REPORT, THE ROAD IS DESCRIBED AS BEING LOCATED ON AND ALONG THE TOWNSHIP LINE. THE ROAD IS ALSO GRAPHICALLY SHOWN ON THE MAP IN SURVEYOR'S RECORD BOOK 1 AT PAGE 67. SURVEY NO. 8-38-22 WAS PERFORMED BY JAMES HANLEY, PLS., IN 1978. DURING THAT SURVEY, MR. HANLEY IMPLEMENTED PROPORTIONATE MEASUREMENT ALONG THE TOWNSHIP LINE FOR TWO AND A HALF MILES, PRESUMABLY BECAUSE THE CORNERS FELL IN THE ROADWAY AND WERE CONSIDERED LOST. DURING MY FIELD WORK, I FOUND THERE TO BE CULTURE IN THE FORM OF ROADS, RIGHT OF WAY FENCES AND BOUNDARY FENCES THAT CONTRADICT THE PROPORTIONATE POSITIONS OF THE CORNERS ALONG THIS LINE. HOWEVER, THERE HAVE BEEN AT LEAST THREE SURVEYS PERFORMED BOTH NORTH AND SOUTH OF THE TOWNSHIP LINE THAT HAVE RELIED UPON, AND FURTHER PERPETUATED THE PROPORTIONATE POSITIONS DETERMINED IN SURVEY NO. 8-38-22. TO OVERTURN THESE SURVEYS WOULD HAVE FAR REACHING EFFECTS, AND WOULD LIKELY DO MORE HARM THAN GOOD. THEREFORE, IN THE INTEREST OF CORNER STABILITY, I ACCEPT THE METHODS AND MONUMENTS PREVIOUSLY UTILIZED, AND I BUILD UPON THEM FOR THIS SURVEY.

AT THE NORTH QUARTER CORNER OF SECTION 35, I MEASURED MIDWAY BETWEEN RIGHT OF WAY FENCES TO DETERMINE THE CENTERLINE INTERSECTION OF NORTH ROCK CREEK LANE AND CALLEY-FISHER LANE. AT THE CENTERLINE INTERSECTION POINT, I FOUND A NAIL (ORIGIN UNKNOWN) THAT HAD BEEN SET BELOW THE ROAD SURFACE. ALTHOUGH I FIND NO RECORD OF THE NAIL, IT IS HARMONIOUSLY RELATED TO THE LOCAL CULTURE AND OTHER FOUND CORNERS, AND IS ACCEPTED AS THE BEST AVAILABLE EVIDENCE OF THE QUARTER CORNER POSITION.

I FOUND UNRECORDED RAILROAD SPIKES SET BELOW THE ASPHALT ROAD SURFACE AT THE NORTHWEST CORNER OF SECTION 35 AND AT THE SOUTHEAST CORNER OF SECTION 36. BOTH OF THESE SPIKES HAVE BEEN ACCEPTED AND UTILIZED ON MULTIPLE SURVEYS, AND ARE ACCEPTED FOR THIS SURVEY AS WELL. I ALSO FOUND A NAIL SET BELOW THE GRAVEL ROAD SURFACE AT THE NORTHEAST CORNER OF SECTION 35. ALTHOUGH I FIND NO RECORD OF ITS ORIGIN, THE POSITION IS IN AGREEMENT WITH SURVEY NO. 7-38-67MP, AND I ACCEPT IT.

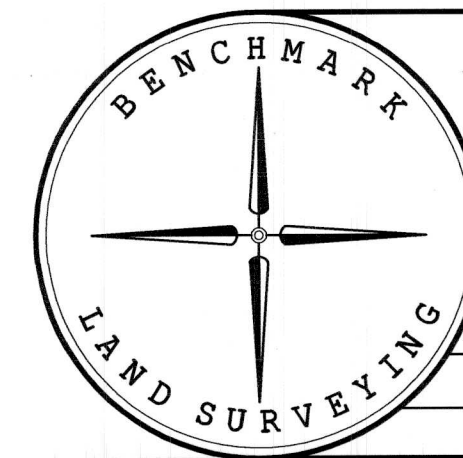
I SEARCHED FOR, BUT DID NOT FIND THE MONUMENTS SET DURING SURVEY NO. 7-38-1 ALONG THE EAST LINE OF THE NE1/4SW1/4 OF SECTION 35. I DID HOWEVER, LOCATE THE SAME FENCE CORNER AT THE CENTER-SOUTH 1/16 CORNER THAT WAS ACCEPTED BY LAGIER IN SURVEY NO. NO. 7-38-1. THE FACT THAT IRA HOFFMAN HAD PREVIOUSLY WORKED IN THE AREA, AND HAD SURVEYED THE NORTH-SOUTH CENTER OF SECTION LINE FURTHER LENDS CREDENCE TO THIS ANCIENT FENCE CORNER BEING ACCEPTED AS THE 1/16 CORNER POSITION. I DETERMINED THE LOCATION OF THE CENTER QUARTER CORNER AT THE INTERSECTION OF STRAIGHT LINES RUN BETWEEN OPPOSING QUARTER CORNERS, AS PER THE 2009 B.L.M. MANUAL OF SURVEYING INSTRUCTIONS. I HELD THE DEED RECORD DIMENSION OF 440 FEET FROM THE EAST LINE OF THE NE1/4SW1/4 TO LOCATE THE EAST BOUNDARY OF THE SUBJECT PROPERTY. THE SOUTH QUARTER CORNER OF SECTION 35 WAS DETERMINED AT SINGLE PROPORTIONATE MEASUREMENT BETWEEN FOUND ACCEPTED CORNERS FOR THE REASONS PREVIOUSLY DISCUSSED.

MONUMENTS WERE SET AT LOCATIONS ACCORDING TO THE EVIDENCE FOUND AND BY THE METHODS OUTLINED HEREIN. THE CONFIGURATION OF PARCEL 1 WAS SELECTED BY THE BINGHAMS, AND WAS MONUMENTED ACCORDINGLY.

SEE THE CORNER MONUMENTATION RECORDS FILED SEPARATELY FOR DETAILS REGARDING THE ESTABLISHMENT OF THE CENTER QUARTER CORNER, THE CENTER-SOUTH 1/16 CORNER, AND THE SOUTH QUARTER CORNER.

### NOTES:

- SEWAGE DISPOSAL FOR EACH PARCEL SHALL BE PROVIDED BY A DEQ APPROVED SANITARY SEWAGE DISPOSAL SYSTEM.



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

LAND PARTITION  
SITUATED IN THE NE1/4SW1/4  
SECTION 35, T.7S., R.38E., W.M.,  
BAKER COUNTY, OREGON

SURVEYED FOR	SETH AND NATALIE BINGHAM	
SURVEYED BY	JLH	11/26/2019
DRAWN BY:	JLH	SHEET 2 OF 2

FILED January 21, 2020  
BAKER COUNTY SURVEYOR  
SURVEY NO. 7-38-134  
8-38-143