

PARTITION PLAT NO. P2003-009

SURVEYOR'S CERTIFICATE

NARRATIVE

The purpose of this survey and plat for Robert C. Austin and Betty L. Austin, is to partition the herein described land into three parcels. Monuments were also set for future partitioning of Parcel No. 2 into a total of 5 parcels, and Parcel No. 3 into a total of 7 parcels. Monumentation controlling Section 29 as described in Baker County Partition Plat No. P2002-005 was recovered this survey. Baker County Deed No. 77 13 081 provided the property description for the subject property. This survey was completed with a Trimble 5700 GPS system.

ACCESS / UTILITY EASEMENT

A sixty (60) foot 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 East quarter corner of Section 29, Township 8 South, Range 39 East, Willamette Meridian; thence along the East line of the Northeast quarter of said Section 29, N. 0° 05' 47" E., 749.64 feet; thence S. 89° 36' 50" W., 30.00 feet, to intersect the West Right of Way of Brown Road (Baker County Road No. 701), and the True Point of Beginning; thence S. 89° 36' 50" W., 2276.24 feet; thence S. 0° 35' 36" E., 90.00 feet, to the center of a 60 foot radius cul-de-sac, and the terminus of the easement. Said easement shall be for ingress and egress and the placement of utilities to serve Parcel Numbers 1, 2, and 3. Easement shall contain a 22' wide road surface and a 50' road surface turning radius at the cul-de-sac. The beneficiaries of this easement shall be limited to the owners of Parcel Numbers 1, 2, and 3, their heirs, successors, assigns, and guests, to include any subdivided portions thereof. The owners of Parcel Numbers 2 and 3, their heirs, successors and assigns shall be responsible for the construction of the road to Baker County Road Department Standards and thereafter all owners, their heirs, successors and assigns 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. Baker County Road Department shall determine construction standards for the road.

DITCH EASEMENT

Easement is conveyed to those with a legal water right for irrigation beyond the boundary of said parcel fed by any existing improved ditch. To those persons, is granted a perpetual, non-exclusive easement for it and its 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 minor partition 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.

REFERENCES

- Baker County Partition Plat No. P2002-005.
Baker County Survey No. 8-39-7.
Baker County Survey No. 8-39-44.
Baker County Survey No. 8-39-75.
Baker County Deed No. 73 10 057.
Baker County Deed No. 73 11 006.
Baker County Deed No. 73 11 007.
Baker County Deed No. 73 12 079.
Baker County Deed No. 77 13 081.

HANLEY ENGINEERING, INC.

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

I, Thomas J. Hanley, hereby certify that this is an exact duplicate copy of the partition plat as submitted to the Baker County Clerk for recording.

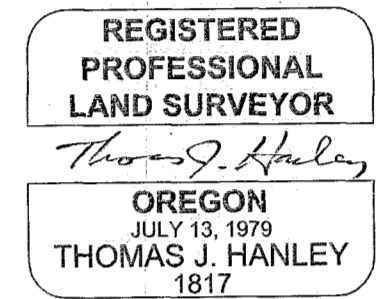
Thomas J. Hanley
Thomas J. Hanley

FILED June 25, 2003
BAKER COUNTY SURVEYOR
SURVEY NO. 8-39-86MP

I, Thomas J. Hanley, certify that I have correctly surveyed and platted three parcels of land on the annexed partition plat in accordance with O.R.S. Chapter 92. The boundary of the partition is as follows; Land located in the South 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 a point N. 0° 05' 47" E., 179.10 feet from the East quarter corner of said Section 29; thence 179.10 feet Northerly of and parallel to the South line of the said South half of the Northeast quarter, S. 89° 36' 06" W., 2680.78 feet, to intersect the West line of the said South half of the Northeast quarter; thence along said West line, N. 0° 35' 36" W., 1142.17 feet, to the Northwest corner of the said South half of the Northeast quarter; thence along the North line of the said South half of the Northeast quarter, N. 89° 37' 33" E., 2694.51 feet, to the Northeast corner thereof; thence along the East line of the said South half of the Northeast quarter, S. 0° 05' 47" W., 1141.07 feet, to the point of beginning. EXCEPTING THEREFROM Brown Road (Baker County Road No. 701) Right of Way.

This partition contains 70.43 acres. (0.78 acres are within Brown Road Right of Way)



Renews June 30, 2003

DECLARATION

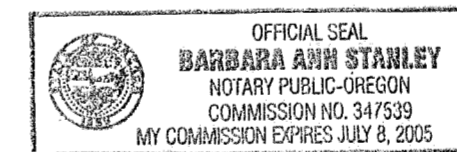
Know all people by these presents that Robert C. Austin and Betty L. Austin are the owners of the land represented on the annexed plat, and more particularly described in the accompanying Surveyor's Certificate and they caused the same to be partitioned into three parcels as shown, in accordance with O.R.S. Chapter 92 and do hereby grant the access/utility easement and ditch easements as described hereon.

Robert C. Austin
Betty L. Austin

ACKNOWLEDGMENT

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

On June 19, 2003 before me did personally appear the with named Robert C. Austin and Betty L. Austin who acknowledged to me that they executed the same freely and voluntarily.



Barbara Ann Stanley
NOTARY PUBLIC
My Commission Expires July 8, 2005

APPROVALS

We the undersigned officers in and for Baker County, Oregon do hereby approve this minor partition plat.

Baker County Surveyor by: Rich G. Holman; Date JUNE 19 2003.

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

Baker County Tax Collector by: Alice Duffinger; Date June 23 2003.

Baker County Planning by: [Signature]; Date June 23rd 2003.

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

I do hereby certify that the annexed minor partition plat was received for recording on the 23rd day of June, 2003 at 01 o'clock 50AM., and recorded in Baker County records and is hereby approved.

Baker County Clerk by: Tamara J. Green, County Clerk by Karen Phillips, Deputy