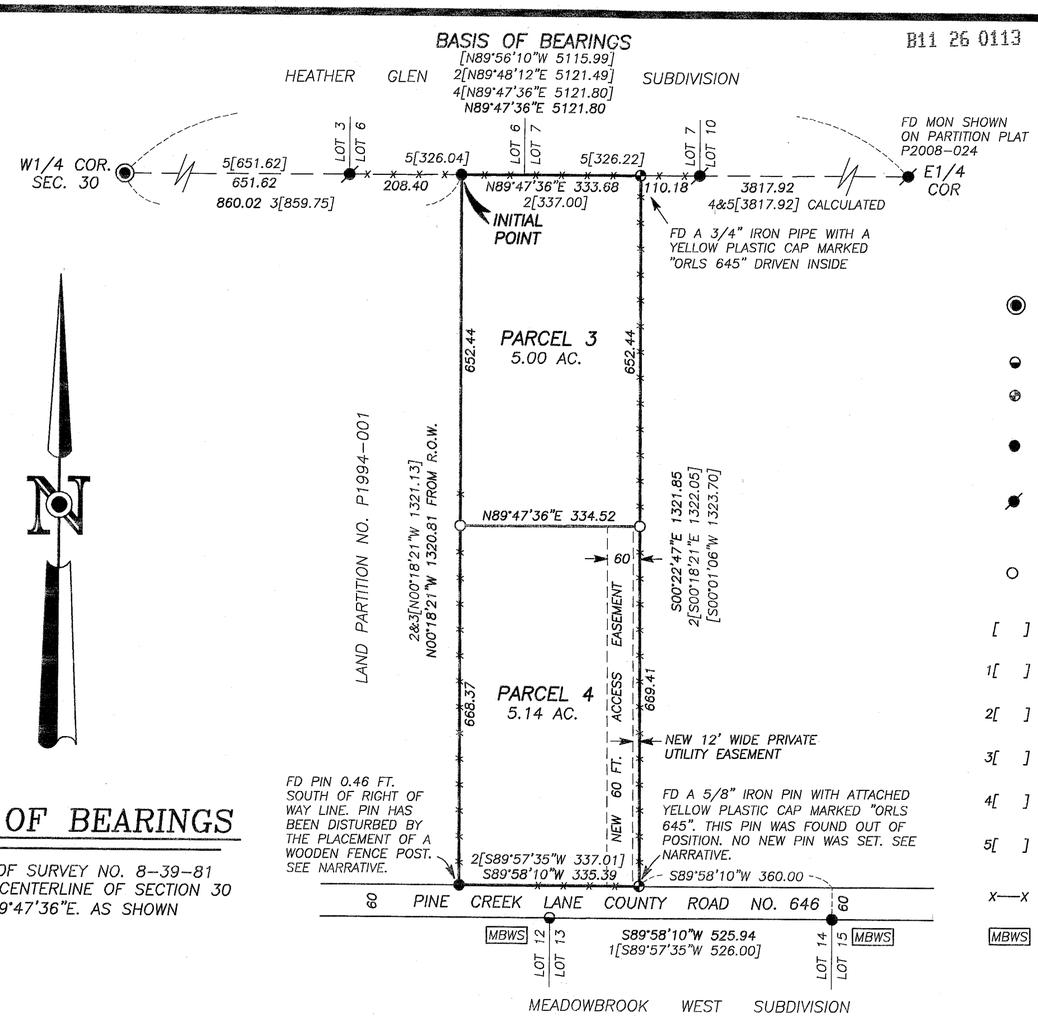
B11 26 0112

B11 26 0113

B11 26 0114

REPLAT NO. P2011-004

BEING A REPLAT OF PARCEL 3 LAND PARTITION PLAT NO. P1990–011
SITUATED IN THE SW1/4 SECTION 30, T.8S., R.39E., W.M.,
BAKER COUNTY, OREGON



BASIS OF BEARINGS

RECORD MAP OF SURVEY NO. 8–39–81
THE EAST–WEST CENTERLINE OF SECTION 30
BEARS N.89°47'36"E. AS SHOWN

LEGEND

- FOUND 1" GALV. IRON PIPE WITH ATTACHED BRASS CAP FROM RECORD SURVEY NO.'S 8–39–80 AND 8–39–81
- FOUND 5/8" IRON PIN – NO CAP
- FOUND MONUMENT AS NOTED, FROM RECORD SURVEY NO. 8–39–3
- FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "HANLEY ENGR. PLS 1206" FROM LAND PARTITION NO. P1994–001
- FOUND 5/8" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED "HANLEY ENGR. PLS 1817" FROM HEATHER GLEN SUBDIVISION, UNLESS OTHERWISE NOTED.
- SET 5/8"X30" IRON PIN WITH ATTACHED YELLOW PLASTIC CAP MARKED BENCHMARK SURVEYING
- [ ] RECORD BEARING AND DISTANCE FROM SURVEY NO. 8–39–3
- 1[ ] RECORD BEARING AND DISTANCE FROM MEADOWBROOK WEST SUBDIVISION PLAT
- 2[ ] RECORD BEARING AND DISTANCE FROM LAND PARTITION PLAT NO. P1990–011
- 3[ ] RECORD BEARING AND DISTANCE FROM LAND PARTITION PLAT NO. P1994–001
- 4[ ] RECORD BEARING AND DISTANCE FROM SURVEY NO. 8–39–81
- 5[ ] RECORD BEARING AND DISTANCE FROM HEATHER GLEN SUBDIVISION PLAT
- X—X FENCE LINE
- MBWS FOUND MONUMENT FROM MEADOWBROOK WEST SUBDIVISION

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, THE LAND REPRESENTED AS SHOWN ON THIS REPLAT, DESCRIBED AS FOLLOWS:

PARCEL NO. 3 OF PARTITION PLAT NO. P1990–011, BEING A PORTION OF THE NORTH HALF OF LOT 2 OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 8 SOUTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF BAKER AND STATE OF OREGON.

SAID REPLAT CONTAINING 10.14 ACRES, MORE OR LESS.

I DO HEREBY DESIGNATE THE NW CORNER OF PARCEL 3 OF LAND PARTITION PLAT NO. 1990–011 AS THE INITIAL POINT OF THIS REPLAT.

JASON L. HATFIELD, PLS #69454

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. EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, DWAYNE EDWARD FISHER AND MARGARET ROSE FISHER, TRUSTEES OF THE FISHER FAMILY TRUST, UAD DECEMBER 20, 2001, DO HEREBY DECLARE THAT SAID TRUST IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE REPLATTED IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN HEREON.

SAID TRUST DOES HEREBY CREATE THE FOLLOWING EASEMENTS:

A PRIVATE ACCESS EASEMENT, 60 FEET IN WIDTH, OVER AND ACROSS THE EAST 60 FEET OF PARCEL 4, FOR THE PURPOSE OF INGRESS AND EGRESS FROM PARCEL 3 TO PINE CREEK COUNTY ROAD NO. 646, AS SHOWN HEREON.

A PRIVATE UTILITY EASEMENT, 12 FEET IN WIDTH, OVER AND ACROSS THE EAST 12 FEET OF PARCEL 4, FOR THE PLACEMENT OF UTILITIES TO PARCEL 3, AS SHOWN HEREON.

SAID TRUST DOES HEREBY CONVEY 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 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. 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.

DWAYNE EDWARD FISHER, TRUSTEE

MARGARET ROSE FISHER, TRUSTEE

ACKNOWLEDGMENT

STATE OF OREGON } SS
COUNTY OF BAKER }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON June 27, 2011, BY DWAYNE EDWARD FISHER AND MARGARET ROSE FISHER, TRUSTEES OF THE FISHER FAMILY TRUST, UAD DECEMBER 20, 2001.

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES 11-1-2014

OFFICIAL SEAL
KAREN A PHILLIPS
NOTARY PUBLIC-OREGON
COMMISSION NO. 453134
MY COMMISSION EXPIRES NOVEMBER 01, 2014

REFERENCES

1. RECORD MAP OF SURVEY NO.'S 8–39–3, 8–39–19, 8–39–72, 8–39–79, 8–39–80, AND 8–39–81
2. RECORD LAND PARTITION NO.'S P1990–011, P1994–001, P1997–012 AND P2008–024
3. DEED RECORD INSTRUMENT NO.'S 92 27 044 & 99 43 151
4. MEADOWBROOK WEST SUBDIVISION
5. HEATHER GLEN SUBDIVISION
6. AMERITITLE LOT BOOK REPORT NO. 0029345

NOTES:

1. SEWAGE DISPOSAL SHALL BE PROVIDED BY A DEQ APPROVED SANITARY SEWAGE DISPOSAL FACILITY.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
NOVEMBER 30, 2007
JASON L. HATFIELD
#69454
EXPIRES: 6/30/2013

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF DWAYNE FISHER. THE PURPOSE OF THIS SURVEY WAS TO REPLAT PARCEL 3 OF PARTITION NO. P1990–011 INTO TWO NEW PARCELS.

A SEARCH WAS MADE OF THE AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE EXISTING MONUMENTS SHOWN ON BAKER COUNTY RECORD SURVEY NO.'S 8–39–3, 8–39–81, RECORD PARTITION PLAT NO. P1994–001, MEADOWBROOK WEST SUBDIVISION PLAT AND HEATHER GLEN SUBDIVISION PLAT.

RECORD SURVEY 8–39–3 WAS PERFORMED BY JAMES HAMBLETON, PLS, IN JULY 1970. HAMBLETON'S SURVEY WAS A PARTIAL SUBDIVISION OF SECTION 30, AND IT APPEARS THE INTENT WAS TO SURVEY A FENCELINE ENCROACHMENT IN THE SW1/4. DURING THE SURVEY, HAMBLETON SET THE CENTER WEST 1/16TH CORNER AND AN OFFSET TO THE SW1/16TH CORNER ALONG THE 1/16TH LINE. ACCORDING TO LOCAL LANDOWNERS, THE FENCE WAS RELOCATED ON THE 1/16TH LINE BETWEEN THE TWO MONUMENTS, AND THE MONUMENTS HAVE BEEN LOCALLY ACCEPTED. HOWEVER, THESE MONUMENTS HAVE NOT BEEN SHOWN ON ANY SUBSEQUENT RECORD SURVEYS WITHIN SECTION 30 THAT I CAN FIND. MR. FISHER'S WEST BOUNDARY WAS MONUMENTED DURING LAND PARTITION NO. P1994–001 WITHOUT ANY TIES SHOWN TO THE MONUMENTS FROM SURVEY NO. 8–39–3. CONSEQUENTLY, THE MEASURED DIMENSIONS OF THE NORTH AND SOUTH LINES OF THE FISHER'S PARCEL ARE SHORTER THAN THE RECORD.

I ACCEPT THE THE FOUND CONTROLLING MONUMENTS FROM THE AFOREMENTIONED SURVEYS, WITH THE EXCEPTION OF TWO:

THE RECORD MONUMENT FROM SURVEY NO. 8–39–3 NEAR THE SE CORNER OF THE FISHER'S PARCEL WAS FOUND 2.57 FEET SOUTHERLY OF THE NORTH RIGHT OF WAY LINE OF PINE CREEK LANE. I ACCEPT THE POSITION OF THIS FOUND PIN FOR THE BEARING OF THE FISHER'S EAST LINE, BUT NOT AS BEING ON THE RIGHT OF WAY LINE. I DID NOT SET A NEW MONUMENT AT THE CORNER POSITION AS IT WAS OCCUPIED BY A FENCE CORNER.

I FOUND THE RECORD MONUMENT FROM PARTITION PLAT P1994–001 AT THE FISHER'S SW CORNER DISTURBED BY THE PLACEMENT OF A WOOD FENCE POST ALONGSIDE. THIS PIN WAS FOUND 0.46 SOUTH OF THE RECORD POSITION.

NEW MONUMENTS WERE SET IN ACCORDANCE WITH THE EVIDENCE FOUND AND AT LOCATIONS APPROVED BY MR. FISHER, AS SHOWN HEREON.

STATEMENT OF WATER RIGHTS

THERE ARE NO WATER RIGHTS APPURTENANT TO THIS PARTITION.

APPROVALS

APPROVED THIS 27TH DAY OF June, 2011.

BAKER COUNTY SURVEYOR

APPROVED THIS 27th DAY OF June, 2011.

BAKER COUNTY PLANNING DIRECTOR

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

BAKER COUNTY TAX COLLECTOR

DATE: 6/27/11

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 27 DAY OF June, 2011 AT 11:30 O'CLOCK A.M., AND RECORDED AS REPLAT NO. P2011-004 BAKER COUNTY RECORDS.

BAKER COUNTY CLERK
by Karen Phillips, Deputy

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

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING

BENCHMARK LAND SURVEYING
217 N. CANYON BLVD. JOHN DAY, OREGON
2101 MAIN STREET, STE 223 BAKER CITY, OREGON
541-575-1251 ~ 800-699-0516

REPLAT
OF PARCEL 3 LAND PARTITION PLAT NO. P1990–011
SITUATED IN THE SW1/4 SECTION 30, T.8S., R.39E., W.M.,
BAKER COUNTY, OREGON

SURVEYED FOR	DWAYNE FISHER	
SURVEYED BY	JLH	5/11/2011
SCALE: 1"=200'	DRAWN BY: JLH	

FILED June 27, 2011
BAKER COUNTY SURVEYOR
SURVEY NO. 8-39 114