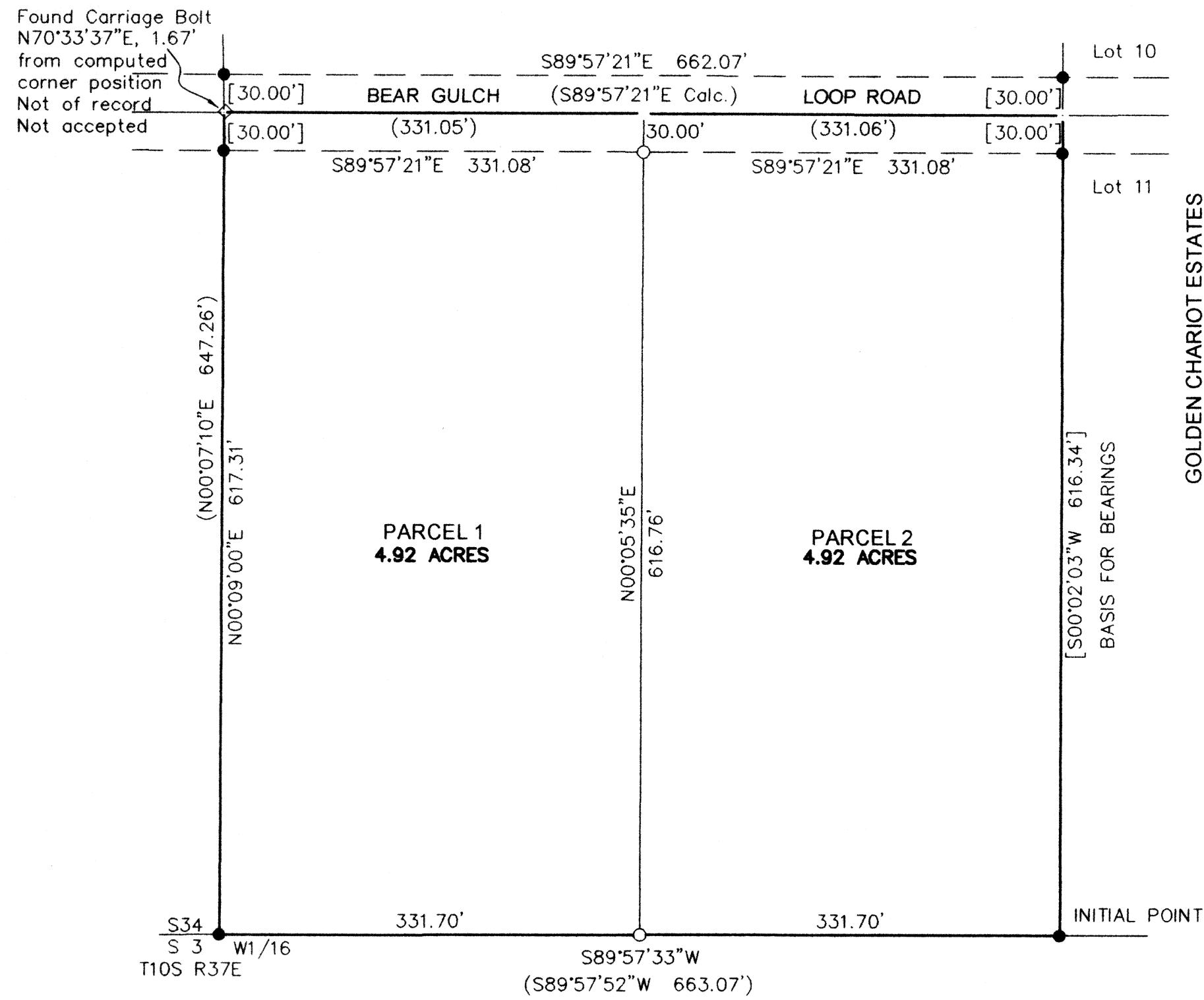


# PARTITION PLAT No. P2004-007

A PARCEL OF LAND SITUATED IN THE SW1/4SE1/4SW1/4 OF SECTION 34, T9S, R37E, WM, BAKER COUNTY, OREGON



### LEGEND

- Set 30" x No. 5 Rebar with Yellow Plastic Cap marked "PLS 699" ○
- Found No. 5 Rebar by Hanley Engineering ●
- Projected Corner not set .
- Found Monument not accepted ◇
- Record Data from MOS 9-37-020 (.....)
- Record Data from Golden Chariot [.....]



BASIS FOR BEARINGS Golden Chariot Estates



### NARRATIVE

The purpose of this survey is to partition a ten acre parcel into two five acre parcels in the SW1/4SE1/4SW1/4 of Section 34, T9S, R37E, WM, Baker County, Oregon, at the request of Russ Boucher.

Section 34 was subdivided by Bill Hanley, PLS 1639, during Survey No. 9-37-20 in 1978 where he broke out the SW1/4NW1/4, NW1/4SW1/4, SW1/4SW1/4 and the W1/2SE1/4SW1/4. He found all the quarter corners and the two Western section corners as monumented by the BLM in 1971 that were necessary to do his survey. He set rebar monuments at the corners of all the parcels listed above.

Then he did Bear Gulch and Golden Chariot Estates subdivisions in 1980 and 1981 which included two of the above parcels and abutted the other two. There are indications that the SW1/4SW1/4 and the W1/2SE1/4SW1/4 were further divided and sold into 10 and 5 acre aliquot parts without the benefit of survey. However, I have learned that Bill did monument the easement for Bear Gulch Loop Road at the SW-SW and C-S-SW 1/64th corners while monumenting Golden Chariot Estates, but did not record them on the subdivision plat or other map of survey. The Hanley Engineering office does have worksheets that show that the monuments were set on December 9, 1982.

Doug Ferguson, PLS 848, did a US Forest Service survey contract recorded in 1991 as Baker County Map of Survey No. 9-37-181. The primary difference between the Hanley and Ferguson surveys is the basis for bearings. OSHD for Hanley and solar observation for Ferguson. I found my corresponding distances to be substantially the same as the Ferguson and Hanley surveys, therefore I did not resurvey the section to delineate the 10 acre aliquot part.

Marc Halcomb Sr., PLS 2190, surveyed the SW1/4SW1/4SW1/4 of Section 34 in 1993 and filed as Survey No. 9-37-230. I do not understand the reasoning and results shown on the Halcomb plat. He claims to have referenced Baker County Survey No. 9-37-20, but he does not show the sixteenth corners set by that survey. His plat says he "Did Not Set" any of the sixteenth corners which were previously set nor does he show a tie to those monuments that I found to still be in existence. He does not acknowledge making reference to Bear Gulch and Golden Chariot subdivisions which use the sixteenth corners around and in the SW1/4 of the section either. In my opinion, he should not have gone outside the SW1/4SW1/4 to perform his survey.

I found some of the corner monuments to vary slightly from my computed location. Whereas the property was one ownership in 1978; a large portion of the property was subdivided in 1981; and the SW1/4SW1/4 and the W1/2SE1/4SW1/4 of Section 34 was divided into 6 or more parcels without the benefit of partitioning or subdividing, but with some monumentation, and sold as aliquot parts of the section near the same time as the subdivisions, I consider this area subject to the principal of simultaneous conveyances. Therefore all existing monuments control the individual parcels even though they may deviate slightly from the aliquot part true corners. Most deviations are within the survey standard precision of the day of 1 in 4000. Some of the placement problems may be due to fence building activities, but not enough to be of concern.

There are a number of easement deeds which allow access from the Baker County Cemetery Road to this property.

Due to the number of surveys in the area that have used the same basis, the Basis for Bearings is Golden Chariot Estates and Survey No. 9-37-20.

### CERTIFICATE

I, Leland Lee Myers, a Professional Land Surveyor registered in the State of Oregon, 587 E Auburn Street, PO Box 99, Sumpter, Oregon 97877, completed this survey on March 20, 2004, by setting the monuments and do hereby certify that the information shown on this plat is correct to the best of my knowledge.

The property being partitioned is the SW1/4SE1/4SW1/4 of Section 34, T9S, R37E, WM, Baker County, Oregon, with the Initial Point being the SW corner of Lot 11, Golden Chariot Estates marked with a No. 5 Rebar with a yellow plastic cap marked PLS 1639.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 9, 1965 LELAND LEE MYERS 699

Renewal Date 1/1/05

### DECLARATION

We, Russell J. Boucher, Shelley Smith Boucher, Mary Helen Boucher and Edward Alfred Boucher, do hereby declare that we have caused this partition to be prepared in accordance with Oregon Revised Statutes Chapter 92. We hereby continue to grant to the owners of the land in the Bear Gulch Subdivision and the Golden Chariot Estates subdivision 30 feet of a 60-foot wide easements known as Bear Gulch Loop Road on the on the North edge of this property for the exclusive use of said owners and their guests for the purpose of access and utilities.

*Russell J. Boucher* Shelley Smith Boucher  
 Russell J. Boucher Shelley Smith Boucher  
*Mary Helen Boucher by* Edward Alfred Boucher  
*Russell J. Boucher attorney in fact* Russell J. Boucher attorney in fact  
 Mary Helen Boucher Edward Alfred Boucher  
 by Russell J. Boucher by Russell J. Boucher  
 Attorney-in-fact Attorney-in-fact

STATE OF WASHINGTON }  
 COUNTY OF Spokane } ss

Signed and sworn to before me on April 13, 2004, by Shelley Smith Boucher and Russell J. Boucher for himself and as Attorney-in-fact for Mary Helen Boucher and Edward Alfred Boucher.

*Kelly L. Meyer*  
 My Commission Expires 5-17-2007  
 KELLIE L. MEYER  
 COMMISSION EXPIRES  
 MAY 17, 2007  
 PUBLIC  
 STATE OF WASHINGTON

### APPROVALS

I have reviewed this plat and find it complies with ORS Chapter 92 and ORS 209.250.

*Thomas J. Hanley* 4-19-2004  
 Baker County Surveyor Date

I have reviewed this plat and find it complies with the regulations of Baker County, Oregon.

*Shawn M. Geera* 4-19-04  
 Baker County Planning Director Date

All ad valorem taxes and other special assessments due pursuant to law have been assessed and collected.

*Alisa L. Wilfong* 4/19/04  
 Baker County Treasurer Date

STATE OF OREGON }  
 COUNTY OF BAKER } ss

I do hereby certify that the attached partition plat was received for recording on the 19 day of APRIL, 2004, at 1:45 o'clock P.M. and recorded as Partition Plat No. P2004-007, Baker County Records.

*Janae J. Green, Co. Clerk by Karen Phillips*  
 Baker County Clerk Deputy

FILED 4-19-2004

BAKER COUNTY SURVEYOR

SURVEY No. 9-37-281

I, Leland Lee Myers, do hereby certify that this is an exact duplicate copy of the partition plat as submitted to the Baker County Clerk for recording.