

DECLARATION

Know all people by these presents that John P. Gyllenberg and Janice E. Gyllenberg are the owners of the land represented on the annexed map, and more particularly described in the accompanying Surveyor's Certificate and they have caused the same to be partitioned into three parcels as shown, in accordance with O.R.S. Chapter 92 and do hereby grant both the 12 foot wide and 30 foot wide utility easements as shown hereon.

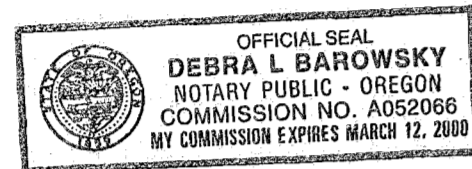
John P. Gyllenberg
John P. Gyllenberg

Janice E. Gyllenberg
Janice E. Gyllenberg

ACKNOWLEDGMENT

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

On December 30, 1999 before me did personally appear the within named John P. Gyllenberg and Janice E. Gyllenberg who acknowledged to me that they executed the same freely and voluntarily.



Debra L. Barowsky
NOTARY PUBLIC

My Commission Expires 3/12/2000

APPROVALS

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

Baker County Surveyor by: *[Signature]*; Date 12/28, 1999.

Baker County Planning by: *[Signature]*; Date 12/30/99, 1999.

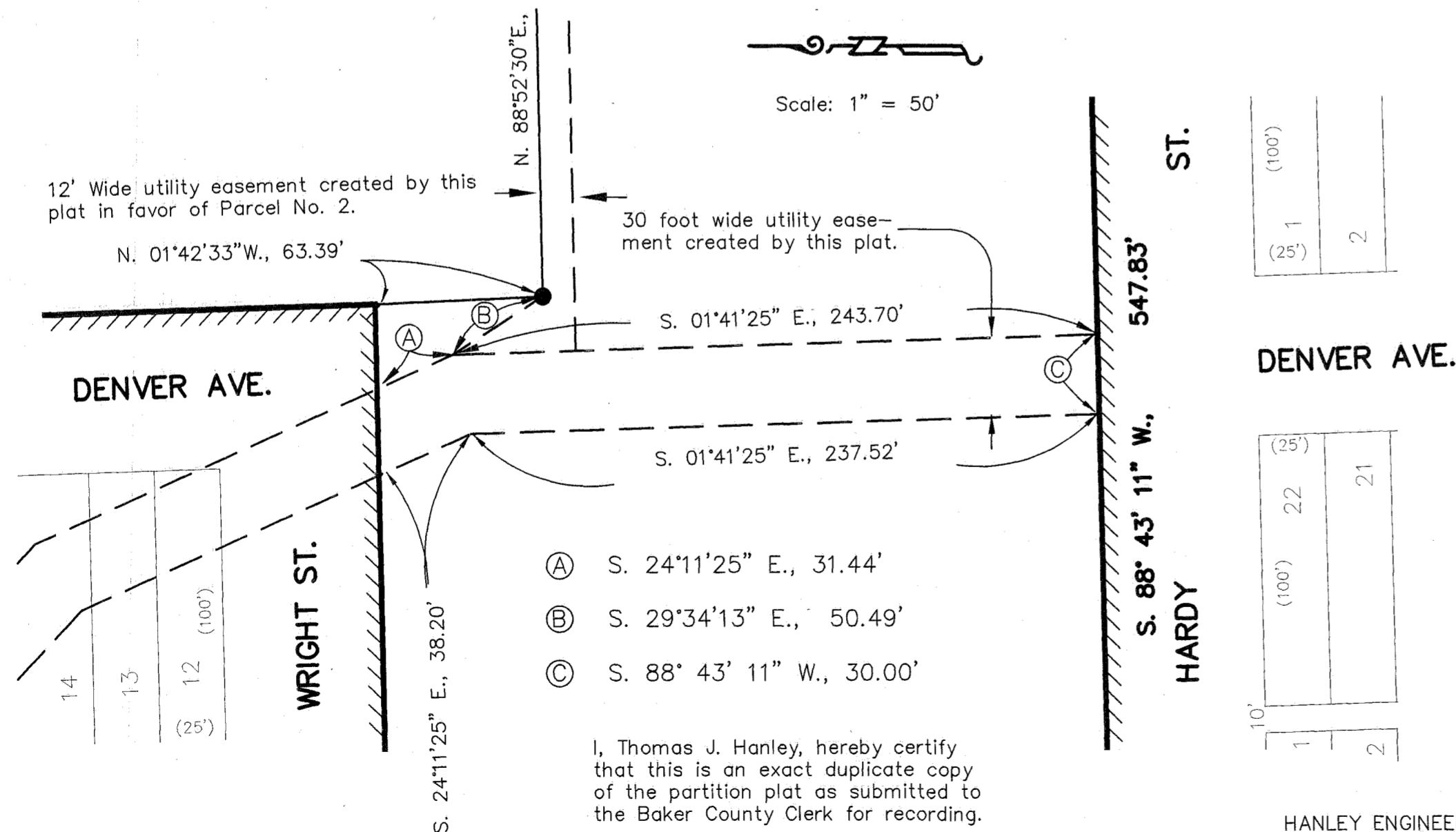
I hereby certify that all taxes for subject property have been paid as required.

Baker County Tax Collector by: *[Signature]*; Date December 30, 1999.

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

I do hereby certify that the annexed minor partition plat was received for record on the _____ day of _____, 1999 at _____ o'clock _____ M., and recorded in Baker County records and is hereby approved.

Baker County Clerk by: _____



- (A) S. 24°11'25" E., 31.44'
- (B) S. 29°34'13" E., 50.49'
- (C) S. 88° 43' 11" W., 30.00'

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

HANLEY ENGINEERING
2043 MAIN STREET
BAKER CITY, OREGON

PARTITION PLAT NO. P 1999-015

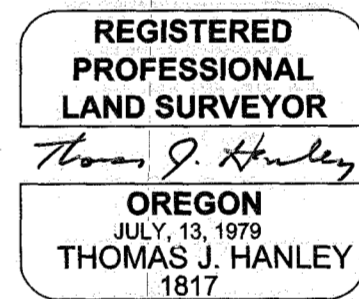
SURVEYOR'S CERTIFICATE

I, Thomas J. Hanley, hereby certify that I have correctly surveyed and platted three parcels of land on the annexed partition map in accordance with O.R.S. Chapter 92.

A parcel lying in the Northwest quarter of the Northwest quarter of Section 15, Township 9 South, Range 40 East, Willamette Meridian, Baker County, Oregon: Land in J.M. Boyd's 2nd Addition to Baker City, consisting of all or portions of vacated Blocks 2, 7, 8, 10 - 19 and all or portions of the following vacated streets, Wright St., Hardy St., Kennedy St., Denver Ave., Tacoma Ave., Seattle Ave. and Yakima Ave. more particularly described as follows:

Commencing at the Northwest corner of said Section 15; thence S. 80° 38' 39" E., 329.82 feet, to the Northwest corner of said vacated Block 8, said block corner being the true point of beginning; thence N. 88° 52' 30" E., 160.68 feet, along the South right of way line of Best Frontage Road, Baker County Road No. 542 (platted as Mc Enroe Street in said J.M. Boyd's 2nd Addition and also known as "H" Street) to the Northwest corner of a parcel of land described in a Baker County Deed Book 164, Page 383, Recorded on May 31, 1955; thence S. 01° 42' 33" E., 396.00 feet, to the Southwest corner of said parcel; thence N. 88° 52' 30" E., 396.00 feet, to the Southeast corner of said parcel; thence N. 01° 42' 33" W., 396.00 feet, to the Northeast corner of said parcel and the said South right of way line; thence N. 88° 52' 30" E., 366.35 feet, along said South right of way line, to a point on the West line of the alley running North and South through Block 17, said J.M. Boyd's 2nd Addition; thence S. 01° 46' 33" E., 331.37 feet, along said West line of alley and said West line extended to the South right of way line of Wright Street, if extended Westerly; thence N. 88° 47' 50" E., 13.38 feet, to the Westerly right of way line of Campbell Street (previously Atwood Road) Co. Rd. No. 742; thence along the said right of way line the following courses; thence S. 00° 58' 51" E., 164.70 feet; thence along a 924.93 foot radius curve right, the chord of which bears S. 12° 50' 42" W., 442.06 feet; thence S. 26° 40' 15" W., 62.84 feet; thence S. 40° 52' 19" W., 163.21 feet; thence S. 32° 17' 35" W., 189.64 feet; thence S. 47° 19' 59" W., 10.76 feet, to intersect the South line of the said Northwest quarter of the Northwest quarter; thence leaving the said right of way, S. 88° 33' 53" W., 294.96 feet, along the said South line of the Northwest quarter of the Northwest quarter to the East right of way line of Tacoma Avenue; thence N. 01° 43' 42" W., 664.49 feet, along said East right of way line to a point on the North right of way line of Hardy Street; thence S. 88° 43' 11" W., 547.83 feet, along said North right of way line to the East right of way line of Portland Avenue; thence N. 01° 41' 25" W., 272.98 feet, along said East right of way line to the South right of way line of Wright Street; thence N. 88° 47' 50" E., 273.83 feet, along said South right of way line to a point on the East right of way line of Denver Avenue; thence N. 01° 42' 33" W., 332.61 feet, along said East right of way line to the true point of beginning.

This partition contains 18.83 acres.



Renews June 30, 2001

NARRATIVE

The purpose of this survey and plat for John P. Gyllenberg and Janice E. Gyllenberg is to partition the above described land into three parcels. The parcels consist of vacated portions of J.M. Boyd's 2nd Addition. Said vacation is recorded in Book "G", Page 415, County Court Journal, recorded August 12, 1910, also filed as Baker County Deed 88 20 124. The J.M. Boyd's 2nd Addition plat is filed in Baker County Plat Book 3, Page 21, and accompanying Dedication is filed in Baker County Deed Book "S", Page 112, recorded May 21, 1890, then rededicated in Baker County Deed Book "S", Page 113, recorded September 8, 1890. Said Dedication states that J.M. Boyd's 2nd Addition is situated in the North Half of the Northwest quarter of Section 15, Township 9 South, Range 40 East, Willamette Meridian. It is assumed that the intent of the subdividers was to occupy the entire North half of the Northwest quarter of Section 15, even though the plat distances are short of a half mile by 30 feet in the East-West direction, and long of a quarter mile by 20 feet in the North-South direction. For the purpose of this Partition Plat, the lots and blocks of J.M. Boyd's 2nd Addition have been apportioned to fit in the said North half of the Northwest quarter. Baker County Deed 88 28 053 provided the property description for the subject property. Baker County Deed Book 164, Page 383, recorded May 31, 1955 provided the property description for the portion of land deeded to Oregon Trail Broadcasting, Inc. that is not a part of this partition, known hereon as Oregon Trail Broadcasting, Inc. parcel. Said Deed Book 164, Page 383, states that it's point of beginning is 485' East and 60' South of the Northwest corner of said Section 15. Using plat distances, this point of beginning for said Oregon Trail Broadcasting, Inc. parcel creates a one foot overlap on the West side of said parcel and a one foot gap on the East side of said parcel with said Deed 88 28 053. When the lots and blocks of J.M. Boyd's 2nd Addition are apportioned, the overlap and the gap are both increased to 5.32 feet. It is assumed that the writer of said Deed 88 28 053 intended to conform with said Deed Book 164, Page 383 which has seniority of deeds, therefore it is assumed that said Deed 88 28 053 is in error. Distances have been adjusted upon this plat to make the parcels fit, lacking any overlap or gap, while holding all record information from said Deed Book 164, Page 383.