

LAND PARTITION PLAT NO. P2014-001

SITUATED IN THE NE1/4NW1/4 SECTION 16, T.9S., R.40E., W.M.,
BAKER CITY, BAKER COUNTY, OREGON

NARRATIVE

THIS PARTITION WAS PERFORMED AT THE REQUEST OF STEVE HARRIS, FOR THE PURPOSE OF DIVIDING HIS PROPERTY DESCRIBED IN DEED NO. B10 15 0274 INTO 3 PARCELS, AS SHOWN.

A SEARCH WAS MADE OF THE AVAILABLE DEED AND SURVEY RECORDS. THE PROPERTY WAS ORIGINALLY DESCRIBED AS ONE OF TWO PARCELS IN DEED RECORD BOOK M, PAGE 316, RECORDED MARCH 1, 1888. THE OTHER PARCEL WAS WEST AND ADJACENT TO THE SUBJECT PARCEL. THESE TWO PARCELS REMAINED IN COMMON OWNERSHIP UNTIL SEPARATED BY DEED BOOK U, PAGES 340 AND 341. THE 100' X 200' TRACT WAS BROKEN OUT OF THE PARENT PARCEL BY DEED BOOK 129 PAGE 496, RECORDED JANUARY 30, 1941.

FIELD MEASUREMENTS WERE MADE TO RECOVER CONTROLLING MONUMENTS FROM RECORD MAP OF SURVEY NO.'S 9-40-130BC, 9-40-175BC, 9-40-264, 9-40-416, 9-40-501MP, 9-40-551 AND 9-40-682. RECORD SURVEY NO. 9-40-682 WAS A SURVEY PERFORMED BY O.D.O.T. UNDER CONTRACT WITH THE CITY OF BAKER CITY TO REPLACE MONUMENTS OF RECORD THAT WERE DESTROYED DURING CONSTRUCTION ACTIVITIES FOR THE "D" STREET IMPROVEMENT PROJECT. I ACCEPT THE FOUND CONTROLLING MONUMENTS FROM SAID SURVEYS WITH THE EXCEPTION OF THE FOLLOWING: THE MONUMENT NEAR THE NW CORNER OF ACRE LOT 3, BLOCK 1 OF G.W. CAMPBELL'S ADDITION WAS FOUND 3.15 FT. SOUTH AND 2.83 FT. WEST OF THE CORNER, AS PER SURVEY NO.'S 9-40-501MP AND 9-40-657. ALSO, THE CENTERLINE MONUMENT AT "D" STREET AND CLARK STREET WAS FOUND S.03°19'48"E., 1.49 FEET FROM THE CENTERLINE INTERSECTION AS PER SURVEY NO.'S 9-40-501MP AND 9-40-657. I FOUND AN UNRECORDED 5/8" IRON PIN WITH YELLOW PLASTIC CAP MARKED "HANLEY ENGR. PLS 1817" ON THE SOUTH LINE OF BLOCK 37 OF MIX'S ADDITION. AFTER CONTACTING TOM HANLEY OF HANLEY ENGINEERING ABOUT IT, HE EXPLAINED THAT IT WAS SET AS PART OF A 2009 REPLAT THAT WAS NEVER FILED. HE ALSO PROVIDED ME WITH A COPY OF THE UNRECORDED PLAT. I ACCEPT THIS MONUMENT AND UTILIZED IT ON THIS SURVEY, AS SHOWN. I ALSO FOUND AN UNRECORDED 1/2" IRON PIN 1.39 FEET SOUTH AND 2.18 FEET WEST OF THE INITIAL POINT OF THIS PARTITION. I FIND NO RECORD OF THIS PIN, AND DO NOT ACCEPT IT.

THE CURRENT DESCRIPTION OF THE SUBJECT PARCEL CALLS FOR THE WEST LINE TO BE "ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF EAST STREET (NOW CLARK STREET)". A LITERAL INTERPRETATION WOULD MEAN THAT THE BEARING OF CLARK STREET, FOUND TO BE N.03°19'48"W., WOULD BE EXTENDED AND HELD FOR BOTH THE WEST AND EAST LINES OF THE PROPERTY. ALTHOUGH THERE IS AN EXISTING FENCE LINE THAT GENERALLY FOLLOWS THIS COURSE ALONG THE WEST LINE, OTHER IMPROVEMENTS ON THIS PROPERTY AND ADJACENT PROPERTIES, SOME OF WHICH DATE BACK TO THE TURN OF THE CENTURY, DO NOT CONFORM TO THIS ALIGNMENT. APPLYING THIS LITERAL INTERPRETATION WITH NO REGARD TO LONG-STANDING IMPROVEMENTS AND LINES OF OCCUPATION WOULD CAUSE CHAOS.

ON MARCH 1, 1888 WHEN THE DEED BOOK M, PAGE 316 WAS RECORDED, CLARK STREET (THEN CALLED EAST STREET) HAD RECENTLY BEEN DEDICATED ON THE PLAT OF J.J. CAMPBELL'S ADDITION, RECORDED DECEMBER 26, 1887. THE PLAT OF J.J. CAMPBELL'S ADDITION DEPICTS LOTS, BLOCKS AND STREETS TO BE ORIENTED IN CARDINAL DIRECTIONS, BEING MORE OR LESS PERPENDICULAR. HOWEVER, THE SURVEY RECORDS OVER THE YEARS SHOW THAT THIS ACTUALLY IS NOT THE CASE ON THE GROUND. I BELIEVE THAT THE PLAT ITSELF WAS THE RESULTING CONTROL FOR THE DESCRIPTION BASED ON THE ASSUMPTION THAT THE LOTS, BLOCKS AND STREETS AS LAID OUT ON THE GROUND COINCIDED WITH THE FACTS SHOWN THEREON.

THE NORTH LINE OF THE SUBJECT PROPERTY WAS DETERMINED BY THE FOUND MONUMENTS ALONG THE SOUTH LINE OF MIX'S ADDITION. I HELD THE FOUND MONUMENTATION FROM SURVEY NO. 9-40-682 TO DETERMINE THE NORTH LINE OF THE 60 FOOT WIDE RIGHT OF WAY OF "D" STREET. I HELD THE FOUND MONUMENTS FROM RECORD SURVEY NO. 9-40-264 ALONG THE WEST LINE OF RUSSELL'S ADDITION AND THE RECORD DISTANCE OF 207.88 FEET WAS MEASURED ALONG THE SOUTH LINE OF MIX'S ADDITION TO DETERMINE THE NORTHEAST CORNER. THE EAST LINE OF THE PROPERTY IS PARALLEL TO THE WEST LINE OF RUSSELL'S ADDITION, WHICH AGREES RELATIVELY WELL WITH FENCES AND IMPROVEMENTS ALONG SAID EAST LINE. THE DEED RECORD DISTANCE OF 209 FEET WAS MEASURED FROM THE NORTHEAST CORNER ALONG THE SOUTH LINE OF MIX'S ADDITION TO DETERMINE THE NORTHWEST CORNER.

THE EXTERIOR BOUNDARY OF THIS PARTITION WAS MONUMENTED AT POSITIONS ACCORDING TO THE METHODS OUTLINED HEREIN. PARCEL DIVISION CORNERS WERE MONUMENTED AT POSITIONS APPROVED BY MR. HARRIS, ALL AS SHOWN HEREON.

THIS PARTITION IS SUBJECT TO THE FOLLOWING:

- RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
- PUBLIC EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FOR PURPOSES OUTLINED THEREIN, AS GRANTED TO THE CITY OF BAKER CITY, A MUNICIPAL CORPORATION OF THE STATE OF OREGON, ITS SUCCESSORS AND ASSIGNS. RECORDED DECEMBER 30, 2008, AS DEED NO. B08 52 0255, BAKER COUNTY DEED RECORDS. SAID EASEMENT BEING 34 FEET IN WIDTH. THE APPROXIMATE PORTION AFFECTING THIS LAND PARTITION IS SHOWN HEREON.
- EASEMENTS, RIGHTS OF WAY AND RESERVATIONS AS THE SAME MAY EXIST OR APPEAR OF RECORD.

APPROVALS

APPROVED THIS 20th DAY OF FEBRUARY, 2014

Thomas D. Fisk
BAKER CITY SURVEYOR

APPROVED THIS 20th DAY OF February, 2014

Holly Kenna
BAKER CITY PLANNING DIRECTOR

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

Alice Duffin by *Traci Thameet*
BAKER COUNTY TAX COLLECTOR
DATE: 2-20-14

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 20 DAY OF February, 2014 AT 2:59 O'CLOCK P.M., AND RECORDED AS LAND PARTITION PLAT NO. P2014-001, BAKER COUNTY RECORDS.

Jamasa J. Green Co. Clerk
BAKER COUNTY CLERK by *Karen Phillips, Deputy*

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

James B. Bluff
BENCHMARK LAND SURVEYING

REFERENCES

RECORD MAP OF SURVEY NO.'S 9-40-130BC, 9-40-175BC, 9-40-201, 9-40-265, 9-40-416, 9-40-501MP, 9-40-551, 9-40-657 & 9-40-682

THE PLAT OF RUSSELL'S ADDITION TO BAKER CITY
THE PLAT OF MIX'S ADDITION TO BAKER CITY
THE PLAT OF J.J. CAMPBELL'S ADDITION TO BAKER CITY
AMERITILE TITLE NO. 0030110

DEED RECORD BOOK M, PAGE 316
BOOK O, PAGE 340
BOOK O, PAGE 341
BOOK 123, PAGE 111
BOOK 123, PAGE 324
BOOK 129, PAGE 496
BOOK 155, PAGE 75

DEED DOCUMENT NO. B10 15 0274, B11 39 0146 & B12 06 0078

REGISTERED PROFESSIONAL LAND SURVEYOR

Jason L. Hatfield
OREGON
NOVEMBER 30, 2007
JASON L. HATFIELD
#69454

EXPIRES: 6/30/2015

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, PARCELS 1, 2 AND 3 OF THIS LAND PARTITION, SAID PARTITION BEING SITUATED IN THE NE1/4NW1/4 SECTION 16, T.9S., R.40E., W.M., BAKER CITY, BAKER COUNTY, OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT WHICH IS N00°58'00"W, 60.00 FEET (RECORD = NORTH 60 FEET) FROM THE NORTHWEST CORNER OF ACRE LOT 3, BLOCK 1, CAMPBELL'S ADDITION TO BAKER CITY;
THENCE N.00°43'12"W., 629.87 FEET (RECORD = NORTH 627 FEET ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF EAST STREET (NOW CLARK STREET));
THENCE N.89°01'06"E., 209.00 FEET (RECORD = EAST 209 FEET);
THENCE S.01°33'00"E., 429.94 FEET (RECORD = SOUTH 427 FEET ALONG A LINE WHICH IS PARALLEL WITH SAID NORTHERLY EXTENSION OF THE EAST LINE OF EAST STREET (NOW CLARK STREET));
THENCE S.89°02'00"W., 100.00 FEET (RECORD = WEST 100 FEET);
THENCE S.01°33'00"E., 200.00 FEET (RECORD = SOUTH 200 FEET);
THENCE S.89°02'00"W., 118.13 FEET (RECORD = WEST 109 FEET) TO THE POINT OF BEGINNING.

THIS PARTITION CONTAINS 2.63 ACRES, MORE OR LESS.

DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT WE, STEVEN W. HARRIS AND KRISTI J. HARRIS, AS TENANTS BY THE ENTIRETY, DO HEREBY DECLARE THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND WE HAVE CAUSED THE SAME TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN ON THE ANNEXED PLAT.

WE DO HEREBY CREATE A PRIVATE EASEMENT, BEING 67.00 FEET IN WIDTH, OVER, ACROSS AND UNDER PARCELS 1 AND 2 OF THIS PARTITION, TO THE BENEFIT OF THE CITY OF BAKER CITY, FOR UTILITIES AND FUTURE ROAD PURPOSES, TO BECOME A PUBLIC EASEMENT UPON THE CONSTRUCTION AND EXTENSION OF F STREET ACROSS SAID EASEMENT.

Steven W. Harris
STEVEN W. HARRIS

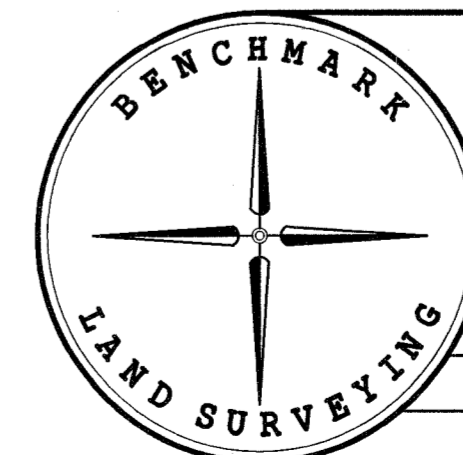
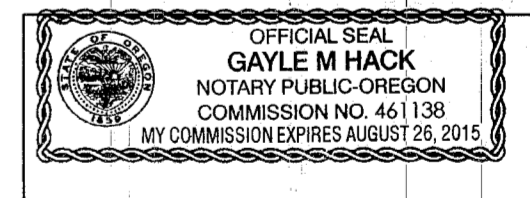
Kristi J. Harris
KRISTI J. HARRIS

ACKNOWLEDGMENT

STATE OF OREGON } SS
COUNTY OF BAKER }

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON 2/20, 2014, BY STEVEN W. HARRIS AND KRISTI J. HARRIS.

Gayle Mack
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 8/26/15



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

LAND PARTITION
SITUATED IN THE NE1/4NW1/4 SECTION 16, T.9S., R.40E., W.M.,
BAKER CITY, BAKER COUNTY, OREGON

SURVEYED FOR	STEVE AND KRISTI HARRIS	
SURVEYED BY	JLH	2/15/2014
DRAWN BY:	JLH	SHEET 2 OF 2

FILED Feb. 21, 2014

BAKER COUNTY SURVEYOR
SURVEY NO. 9-40-718A