

DITCH/ IRRIGATION EASEMENTS

Natural and manmade water conveyance structures, control, diversion and measuring structures; and appurtenances thereto (all of the preceding collectively are "irrigation structures" and separately "structure") exist on each Parcel. The conveying language in the following paragraph is intended to be a number of conveyances of easements, one for each improvement on a Parcel ("servient estate") to the other Parcel and/or other land (collectively, "dominant estate") benefited by the improvement.

A perpetual, non-exclusive easement is granted on the servient estate to the vestee of the legal and equitable title of the dominant estate for access to and the operation, maintenance, construction and reconstruction of a structure, each such easement to run with the said dominant and servient estates. Merger and extinguishment shall not occur when the dominant and servient estates are in common ownership unless there is a recorded, unequivocal statement of intent that such occur.

Each easement is limited by the following: a) to a width of fifteen feet on each side of each structure, b) any person exercising rights under an easement shall by that act agree to hold the servient estate harmless from liability and/or damage to the servient estate and any livestock thereon which is reasonably related to such exercise of rights, and c) other than the emergency exercise of rights, the ingress and egress of men, vehicles and machinery on the servient estate shall be subject to the reasonable direction of the owner of the servient estate.

William T. Moore

William T. Moore

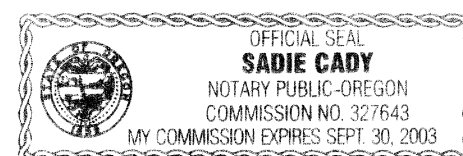
Nancy J. Moore

Nancy J. Moore

ON THIS 28th DAY OF August, 2001 BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF OREGON, PERSONALLY APPEARED WILLIAM T. MOORE AND NANCY J. MOORE KNOWN TO ME, WHO FIRST BEING DULY SWORN, SAY THAT THEY DID SIGN THIS INSTRUMENT OF THEIR OWN FREE AND VOLUNTARY ACT.

Sadie Cady

NOTARY PUBLIC



Jack Horton for SIEGEL-HORTON LLC

Jack Horton for SIEGEL-HORTON LLC

ON THIS 13th DAY OF July, 2001 BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF OREGON, PERSONALLY APPEARED JACK HORTON KNOWN TO ME, WHO FIRST BEING DULY SWORN, SAY THAT HE DID SIGN THIS INSTRUMENT OF HIS OWN FREE AND VOLUNTARY ACT.

Sadie Cady

NOTARY PUBLIC



DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, THAT WILLIAM T. MOORE AND NANCY J. MOORE, ARE THE OWNERS OF THE LAND DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND DO HEREBY DECLARE THAT THEY HAVE CAUSED THIS PARTITION PLAT TO BE PREPARED, AND THAT THE PROPERTY IS PARTITIONED IN ACCORDANCE WITH O.R.S. CHAPTER 92, AND DO HEREBY CREATE THE ANNEXED DITCH/ IRRIGATION EASEMENTS.

William T. Moore

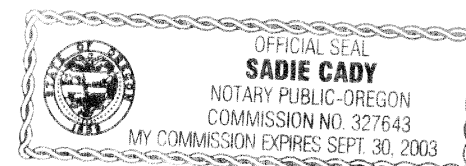
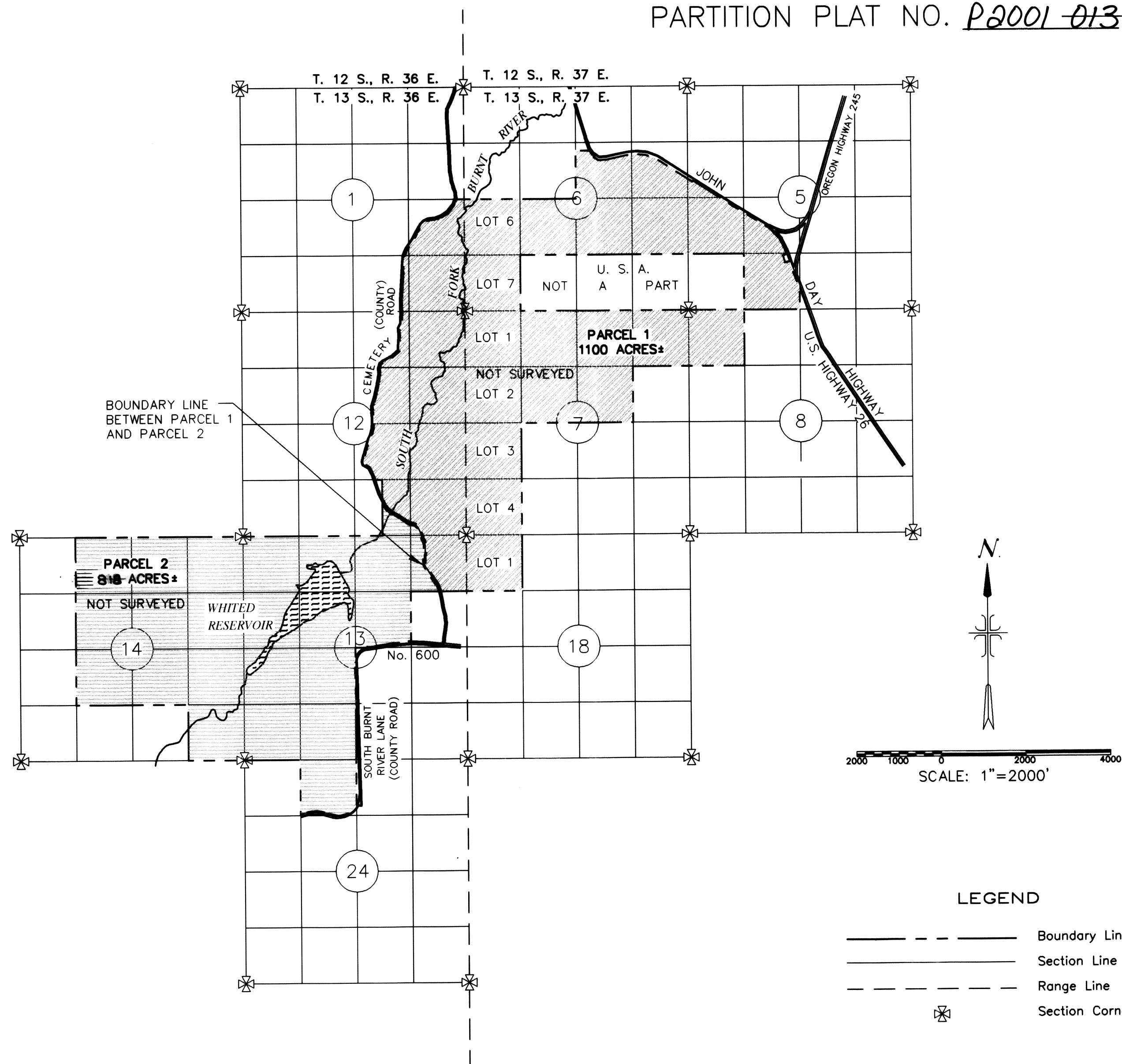
WILLIAM T. MOORE

STATE OF Oregon } ss
COUNTY OF Malheur

ON THIS 28th DAY OF August, 2001 BEFORE ME, A NOTARY PUBLIC FOR THE STATE OF OREGON, PERSONALLY APPEARED WILLIAM T. MOORE AND NANCY J. MOORE, KNOWN TO ME, WHO FIRST BEING DULY SWORN, SAY THAT THEY DID SIGN THIS INSTRUMENT OF THEIR OWN FREE AND VOLUNTARY ACT.

Sadie Cady

NOTARY PUBLIC

PARTITION PLAT NO. P2001-013-014

NARRATIVE

THIS PARTITION PLAT WAS PREPARED AT THE REQUEST OF MAX S. TAGGART II, ATTORNEY FOR AND IN BEHALF OF SIEGEL-HORTON, LLC. THE PLAT WAS PREPARED FROM RECORD DATA AND NO FIELD SURVEY WAS PERFORMED.


THE ACREAGE SHOWN HEREON IS AS SHOWN ON THE BAKER COUNTY ASSESSOR'S MAPS.

FILED AUGUST 29, 2001
BAKER COUNTY SURVEYOR
SURVEY NO. 13-36-84 MP
13-37-23 MP
SHEET 1 OF 2

I, WALTER L. NEITZ, HEREBY CERTIFY THAT
THIS IS AN EXACT REPRODUCTION OF THE ORIGINAL.

Walter L. Neitz

LEGEND			
---	Boundary Line		
---	Section Line		
---	Range Line		
✕	Section Corner		

PARTITION FOR:			
SIEGEL—HORTON LLC			
PORTIONS OF SECTIONS 1, 12, 13, 14, 24 T. 13 S., R. 36 E., W.M. & PORTIONS OF SECTIONS 5, 6, 7, 8, 18 T. 13 S., R. 37 E., W.M. BAKER COUNTY, OREGON			
SCALE: 1" = 2000'	DR. AKY	CK. WLN	SHEET 1 OF 2
DATE: JULY 5, 2001	ACAD DWG. FILE: 3423-01		
	BERGEY LAND SURVEYING Surveyors • Planners 1431 South Main Street Payette, Idaho 208-642-3479		

CERTIFICATE OF SURVEYOR

I, Walter L. Neitz, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Oregon, and that this partition map has been prepared from record data under my direct supervision, and that this map is an accurate representation of said data and that it is in conformity with O.R.S. Ch. 92 and the Laws of the State of Oregon. Neither parcel was surveyed. The boundary of the partition is as follows:

In TOWNSHIP 13 SOUTH, RANGE 36 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 1: All that portion of the East half of the Southeast quarter and the Southwest quarter of the Southeast quarter lying East of the present County Road right of way.

Section 12: All that portion of the East half of the East half, the East half of the Southwest quarter of the Southeast quarter, the West half of the Northeast quarter and the Northwest quarter of the Southeast quarter lying East of the present County Road right of way.

Section 13: All that portion of the North half of the Northeast quarter, the Southwest quarter of the Southwest quarter, the East half of the Southwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northeast quarter,

EXCEPTING THEREFROM the following two parcels:

Parcel 1: Road right of way conveyed to Baker County, recorded November 4, 1970, in Deeds 70 44 038, across the East half of the Southwest quarter and the Southwest quarter of the Northeast quarter.

Parcel 2: That portion of the Southeast quarter of the Northwest quarter and the Southwest quarter of the Northeast quarter conveyed for Whited Reservoir, described in Deed recorded September 16, 1915, in Deed Book 83, page 323.

The West half of the Northwest quarter, the Northeast quarter of the Northwest quarter, the Northwest quarter of the Southwest quarter,

EXCEPTING THEREFROM that portion for Whited Reservoir, described in Deed recorded September 16, 1915, in Deed Book 83, page 322.

Section 14: The Northeast quarter, the East half of the Northwest quarter, the Northeast quarter of the Southwest quarter, the Northwest quarter of the Southeast quarter, the Southeast quarter of the Southeast quarter,

The Northeast quarter of the Southeast quarter,

EXCEPTING THEREFROM that portion conveyed for Whited Reservoir, described in Deed recorded September 16, 1915, in Deed Book 83, page 322.

Section 24: The Northeast quarter of the Northwest quarter,

EXCEPTING THEREFROM the following two parcels:

Parcel No. 1: Road right of way conveyed to Baker County, recorded November 4, 1970, in Deeds 70 44 038.

Parcel No. 2: Road right of way conveyed to Baker County, recorded October 6, 1971, in Deeds 71 40 048.

In TOWNSHIP 13 SOUTH, RANGE 37 EAST of the Willamette Meridian, in the County of Baker and State of Oregon:

Section 5: All that portion of the Southwest quarter of the Northwest quarter and the Northwest quarter of the Southwest quarter lying South and West of U. S. Highway No. 26 right of way.

All that portion of the East half of the Southwest quarter lying South and West of U. S. Highway No. 26 right of way,

EXCEPTING THEREFROM the following parcel:

Commencing at the South quarter corner of said Section;

thence North 19°00' West 1180 feet more or less, along the West right of way line of U. S. Highway No. 26 to the true point of beginning;

thence South 71°00' West 100 feet;

thence North 19°00' West 180 feet;

thence North 71°00' East 100 feet;

thence South 19°00' East 180 feet to the true point of beginning.

Section 6: Lots 6 and 7,

the North half of the Southeast quarter, the Northeast quarter of the Southwest quarter, all that portion of the South half of the Northeast quarter lying South and West of U. S., Highway No. 26 right of way,

EXCEPTING THEREFROM the following parcel:

Beginning at the Northwest corner of the Southwest quarter of the Northeast quarter;

thence East 390 feet to the West right of way line of U. S. Highway No. 26;

thence in a Southeasterly direction along said West right of way line 194 feet;

thence at right angles due West 426 feet;

thence North along the West line of said Southwest quarter of the Northeast quarter 237 feet to the point of beginning.

Section 7: Lots 1, 2, 3 and 4,

the East half of the Northwest quarter, the North half of the Northeast quarter, and the Southwest quarter of the Northeast quarter.

Section 8: The Northwest quarter of the Northwest quarter.

Section 18: Lot 1.

This partition contains 1918 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Walter L. Neitz
OREGON
JULY 11, 1969
WALTER L. NEITZ
913

License No. 913
Expires: 12-31-2002

FILED AUGUST 29, 2001
BAKER COUNTY SURVEYOR
SURVEY NO. 13-36-84MP
13-37-23MP
SHEET 2 OF 2

I, WALTER L. NEITZ, HEREBY CERTIFY THAT
THIS IS AN EXACT REPRODUCTION OF THE ORIGINAL.

Walter L. Neitz

PARTITION APPROVALS,

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

Baker County Surveyor by: Thomas J. Hawley Date: 8-29-2001

Baker County Planning by: Wendy E. Burnett Date: 8-29-2001

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

Baker County Tax Collector by: Alice J. Jurgens Date: 8-29-01

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

I do hereby certify that this partition plat was received for record on the 29th day of August, 2001 at 1:35 o'clock P. M., and recorded in Baker County records and is hereby approved.

Baker County Clerk by: Tamara J. Green

PARTITION FOR:
SIEGEL-HORTON LLC

PORTIONS OF SECTIONS 1, 12, 13, 14, 24
T. 13 S., R. 36 E., W.M.

&

PORTIONS OF SECTIONS 5, 6, 7, 8, 18
T. 13 S., R. 37 E., W.M.

BAKER COUNTY, OREGON

SCALE: 1" = 2000' DR. AKY CK. WLN SHEET 2 OF 2

DATE: JULY 5, 2001

ACAD DWG. FILE: 3423-01

BLS

BERGEY LAND SURVEYING
Surveyors • Planners
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