

NARRATIVE FOR QUARRY PARCELS

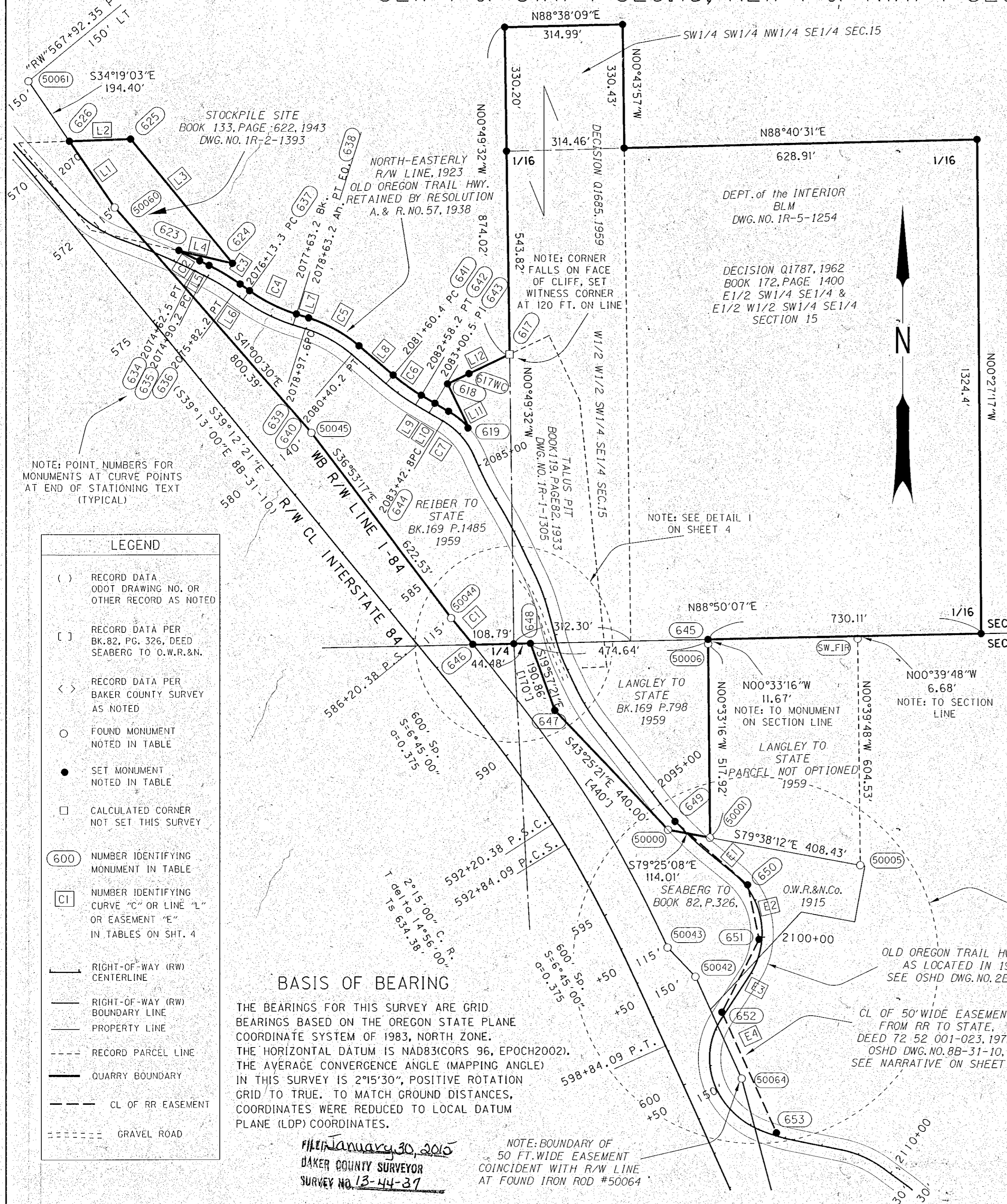
THE FIRST QUARRY PARCEL ACQUIRED WAS TALUS PIT, BEING PART OF A SLOPE OF ROCK IN THE HOLDINGS OF THE OREGON PORTLAND CEMENT COMPANY. THIS PARCEL IS DESCRIBED IN DEED BOOK 119, P. 82, DATED 1934, AND SHOWN ON OREGON STATE HIGHWAY DEPARTMENT (OSHD) DRAWING NO. 1R-1-1305. THE SAID DEED MAKES A CALL THAT REFERENCES A SECTION CORNER THAT WAS NEVER FOUND, THE SOUTHWEST CORNER OF SECTION 15, AND A SECTION LINE WITH NO CORNER SHOWN OR RECOVERED ON THE EASTERN END, THE SOUTHEAST CORNER OF SEC. 15. THE PARCEL WAS RESTORED BY RETRACING AND FITTING A SEGMENT OF THE 1923 STATE HIGHWAY CENTERLINE (CL) ALIGNMENT (AS SHOWN ON OSHD DRAWING NO. 2B-5-13, DATED 1923 WITH REVISIONS TO 1938), TO AN EXISTING CULVERT ON JETT CREEK AT THE SOUTHERN END AND THE REMAINS OF A "CATTLE PASS" AT STATION 2045+50.6 AT THE NORTHERN END. A STATION FROM SAID RETRACED 1923 CL ALIGNMENT WAS CONVERTED TO A STATION ON THE RELOCATED OLD OREGON TRAIL HIGHWAY ALIGNMENT (I.E. RELOCATED IN A NEW POSITION FROM THE 1923 HIGHWAY AND NOW INCORPORATED IN THE PRESENT FREEWAY ALIGNMENT), AS SHOWN ON SAME SAID OSHD DRAWING. THE HIGHWAY STATION CALLED IN SAID DEED IS RESTORED AND HELD FOR THE START OF THE LINE PROJECTING TO THE POINT OF BEGINNING (POB) FOR SAID DEED DESCRIPTION. THE BEARINGS SHOWN IN THE DEED AND ON THE MAP ARE CONVERTED TO GRID BEARINGS AND THE DISTANCE FROM SAID CL STATION IS USED TO RESTORE THE POB OF THE PARCEL AND IS SHOWN HEREON. THE SECTION LINE AS DESCRIBED BETWEEN SECTIONS 15 AND 22 IS CONSIDERED TO BE IN ERROR AND NOT ACCEPTED AS CONTROLLING EVIDENCE FOR THIS PARCEL. THE CADASTRAL LINES OF SECTIONS 15 AND 22 BEING RESTORED IN SURVEY NO. 13-44-15, IT IS SHOWN HEREON THAT A LARGE PART OF THE RECORD PARCEL LIES OVER THE NORTH-SOUTH CENTERLINE OF SECTION 15 ONTO THE BUREAU OF LAND MANAGEMENT (BLM) OWNERSHIP AND TO THE SOUTH, IN SECTION 22, ONTO LAND LATER ACQUIRED FROM PRIVATE OWNERSHIP.

THE SECOND PARCEL ACQUIRED WAS A STOCKPILE SITE ACQUIRED FROM THE OREGON PORTLAND CEMENT COMPANY THAT IS DESCRIBED IN DEED BOOK 133, P. 622, DATED 1943, AND SHOWN ON OSHD DRAWING NO. 1R-2-1393. THIS DEED HAS A PRIMARY CONTROLLING CALL TO A STATION ON THE RELOCATED OLD OREGON TRAIL HIGHWAY AND A SECONDARY CALL TO THE UNFOUND SOUTHWEST CORNER OF SECTION 15. THE PARCEL WAS RESTORED USING THE SAME METHOD AS STATED PREVIOUSLY FOR THE TALUS PIT AND THE HIGHWAY STATIONING IS AGAIN CONSIDERED TO BE THE BEST AVAILABLE EVIDENCE. SOME OF THE WESTERLY PART OF THE PARCEL IS NOW INCORPORATED INTO THE PRESENT FREEWAY RIGHT OF WAY.

THE THIRD AND FOURTH PARCELS WERE BOTH ACQUIRED IN 1959 FROM NEIGHBORING RANCHERS, REIBER AND LANGLEY. THE REIBERS SOLD WHAT THEY OWNED TO THE STATE BETWEEN THE RIGHT OF WAY (R/W) LINE ON THE RELOCATED OLD OREGON TRAIL HIGHWAY ON THE SOUTHWESTERLY SIDE AND THE NORTHEASTERLY R/W LINE OF THE 1923 STATE HIGHWAY ON THE NORTHEASTERLY SIDE, THE R/W OF A PORTION OF SAID HIGHWAY BEING RETAINED UNDER ABANDONMENT AND RESOLUTION NO. 57, 1938, NELSON TO MALHEUR COUNTY LINE, (AGREEMENT FOR HAULING ROAD TO QUARRY AND TALUS PIT). IT WAS ALSO USED AS THE BOUNDARY BETWEEN THE QUARRY AND THE OREGON PORTLAND CEMENT COMPANY. THIS PARCEL WAS RESTORED IN THE PROCESS OF RECONSTRUCTING THE 1923 ALIGNMENT AND RETRACING THE PRESENT HIGHWAY R/W AND PRESENTS NO PARTICULAR PROBLEM.

THE PARCEL ACQUIRED FROM THE LANGLEYS HAS SOME PARTICULAR PROBLEMS IN LOCATION CONCERNING A COMBINATION OF DESCRIBED CADASTRAL BOUNDARIES AND RAILROAD PROPERTY OWNERSHIP ON THE SOUTH AND WEST SIDES. THE PARCEL IS DESCRIBED BEGINNING AT A QUARTER-SECTION CORNER TO SECTIONS 15 & 22 THAT WAS NOT ORIGINAL AND NEVER PROPERLY REESTABLISHED. THE DESCRIPTION ALSO EXTENDS ALONG THE SECTION LINE EAST OF SAID QUARTER-SECTION CORNER WITH NO ORIGINAL OR RESTORED SECTION CORNER ON THAT END OF THE LINE. THE DEED DESCRIBES A RECTANGULAR PARCEL WITH DESCRIBED LOCATION BASED ON THE CADASTRAL LINES BUT USES AN EXCEPTION TO AVOID ENCROACHMENT ON THE RAILROAD PARCEL AS DESCRIBED IN BOOK 82, P. 326, 1915. THE DESCRIPTION AS WRITTEN BY THE STATE IS IN DIRECT CONFLICT WITH THE DESCRIPTION OF THE RAILROAD PARCEL THAT BOUNDS IT. THE RAILROAD DEED DESCRIPTION AND MAP PLACES THE QUARTER-SECTION CORNER MUCH FARTHER TO THE WEST, FALLING IN THE RIVER BOTTOM AS DESCRIBED BY THE ORIGINAL GLO SURVEYOR'S FIELD NOTES. TO USE THE RECENTLY REESTABLISHED QUARTER-SECTION CORNER TO RESTORE THE PARCEL WOULD PRECLUDE THE USE OF MUCH OF THE LAND THAT THE STATE INTENDED TO PURCHASE. THIS PARCEL WAS THE ONLY QUARRY PARCEL MONUMENTED AND THE RECOVERED MONUMENTS ARE SHOWN HEREON. THE MONUMENTS SHOW WHERE THE STATE'S LOCATION OF THE RAILROAD PARCEL LIES. I ACCEPT THE LOCATION OF THE PARCEL ACCORDING TO THE IRON RODS IN THE GROUND, AND GIVE THEM THE POSITION OF BEST EVIDENCE AS TO THE BOUNDARIES OF THE RAILROAD PARCEL AND TO THE LINES OF THE PARCEL THAT THE STATE AND THE LANGLEYS AGREED TO, WITH THE EXCEPTION THAT I GIVE THEM NO CREDIBLE EVIDENCE OR WEIGHT AS TO THE CADASTRAL LINES OF SECTIONS 15 AND 22. I RESTORE A PORTION OF THE RAILROAD BOUNDARY BY RECORD DISTANCE AND ANGLE AND EXTEND THE NORTHERN LINE, WHICH BOUNDS THE WEST SIDE OF THE PARCEL PURCHASED FROM LANGLEY, TO INTERSECT THE RECENTLY REESTABLISHED SECTION LINE.

THE LAST PARCELS PERTINENT TO THE QUARRY ARE AGREEMENTS FROM THE UNITED STATES DEPARTMENT OF THE INTERIOR THROUGH ITS AGENCY THE BLM. AN AGREEMENT FOR MINING ROCK WAS FIRST GRANTED IN 1959 UNDER DECISION Q-1685, 1959, FOR THE W 1/2 OF THE W 1/2 OF THE SW 1/4 OF THE SE 1/4 OF SEC. 15 AND THE SW 1/4 OF THE SW 1/4 OF THE NW 1/4 OF THE SE 1/4 OF SEC.15. LATER UNDER DECISION Q-1787, 1962, THE REMAINDER OF THE SW 1/4 OF THE SE 1/4 OF SECTION 15 WAS ADDED TO THE AGREEMENTS FOR THE QUARRY. THIS PARCEL HAS BEEN ESTABLISHED BY THE SURVEYED CADASTRAL LINES AS SHOWN HEREON.



LEGEND

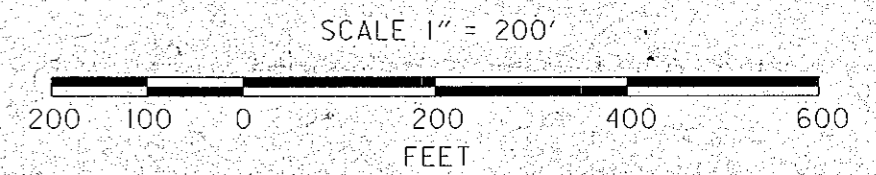
- () RECORD DATA ODOT DRAWING NO. OR OTHER RECORD AS NOTED
- [] RECORD DATA PER BK.82, PG. 326, DEED SEABERG TO O.W.R.&N.
- < > RECORD DATA PER BAKER COUNTY SURVEY AS NOTED
- FOUND MONUMENT NOTED IN TABLE
- SET MONUMENT NOTED IN TABLE
- CALCULATED CORNER NOT SET THIS SURVEY
- 600 NUMBER IDENTIFYING MONUMENT IN TABLE
- CI NUMBER IDENTIFYING CURVE "C" OR LINE "L" OR EASEMENT "E" IN TABLES ON SHT. 4
- RIGHT-OF-WAY (R/W) CENTERLINE
- RIGHT-OF-WAY (R/W) BOUNDARY LINE
- PROPERTY LINE
- RECORD PARCEL LINE
- QUARRY BOUNDARY
- CL OF RR EASEMENT
- ===== GRAVEL ROAD

BASIS OF BEARING

THE BEARINGS FOR THIS SURVEY ARE GRID BEARINGS BASED ON THE OREGON STATE PLANE COORDINATE SYSTEM OF 1983, NORTH ZONE. THE HORIZONTAL DATUM IS NAD83(CORS 96, EPOCH2002). THE AVERAGE CONVERGENCE ANGLE (MAPPING ANGLE) IN THIS SURVEY IS 2°15'30", POSITIVE ROTATION GRID TO TRUE. TO MATCH GROUND DISTANCES, COORDINATES WERE REDUCED TO LOCAL DATUM PLANE (LDP) COORDINATES.

FILED January 30, 2015
 BAKER COUNTY SURVEYOR
 SURVEY NO. 13-44-37

NOTE: BOUNDARY OF 50 FT. WIDE EASEMENT COINCIDENT WITH R/W LINE AT FOUND IRON ROD #50064



REGISTERED PROFESSIONAL LAND SURVEYOR
 PETER C. ELDER
 OREGON
 JULY 13, 1999
 PETER C. ELDER
 51277
 RENEWS: 12/31/2015

OREGON DEPARTMENT OF TRANSPORTATION
 SECTIONS 15 & 22, T.13S. R.44E. W.M.
 SUBDIVISION AND SURVEY FOR
 RYE VALLEY QUARRY
 OLD OREGON TRAIL HIGHWAY, I-84
 DURKEE-LIME SECTION, BAKER COUNTY

FOR ODOT REGION 5
 3012 ISLAND AVENUE
 LA GRANDE, OR 97850

JANUARY 28, 2015
 SCALE: 1IN. = 200 FT.
 SHEET 3 OF 4