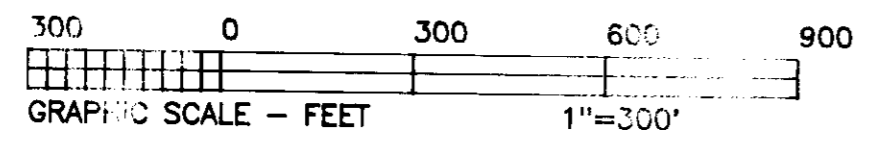
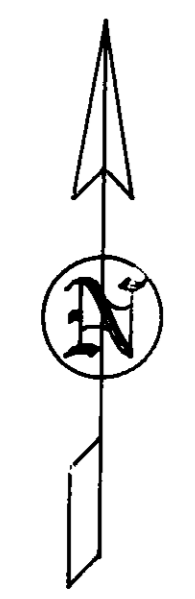


Microfilm # 159123  
 Plat Cab A-392  
 DECLARATION

# Partition Plat No. 1995-10

in the SW1/4 of Section 25, and the SE1/4 of Section 26,  
 T6S, R41E, WM, Union County, Oregon



**LEGEND:**

- Set No. 5 x 30" Rebar with Yellow Plastic Cap marked PLS 899
- Found 1/4 Section Corner as Described
- Set 1/4 Section Corner from Original Evidence as Described
- Per Deed, Book 152, Page 250
- Per Mineral Survey No. 674
- CB = Chord Bearing
- C = Chord Length
- A = Arc Length
- R = Radius
- CA = Central Angle

Basis for Bearings  
 Solar Observation  
 April 26, 1994

1980 PLS 1639  
 1" CALV PIPE WITH  
 2" BRASS CAP

**APPROVALS**

We have reviewed this plat and find it complies with ORS Chapter 92 and ORS 209.250 and the regulations of Union County.

*Evelyn Foster* 5/17/95  
 Union County Planning Commission Chairman Date

*Steve Black* 5/17/95  
 Union County Surveyor Date

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

*Patty Goodenham* 5/17/95  
 Union County Assessor Date

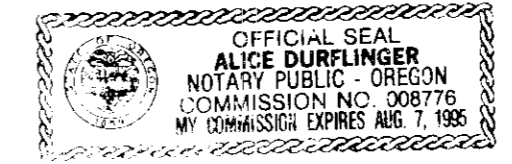
*Regan Sutton* 5/17/95  
 Union County Treasurer Date

Found Original Stone  
 Set Union County Surveyor  
 2" x 30" Aluminum Pipe with  
 2 1/2" Aluminum Cap

We, Robert L. Bennett and Betty Jean Bennett, do hereby declare that we have caused this partition plat to be prepared and the property partitioned in accordance with Oregon Revised Statutes Chapter 92. We further agree to provide for irrigation ditch easements 20-foot wide, 10 feet on each side of the center line of the ditches for the purpose of operating and maintaining the ditches for irrigation use.

*Robert L. Bennett*  
 (STATE OF OREGON)  
 (BAKER COUNTY)  
 Signed and sworn to before me on May 17th, 1995 by Robert L. Bennett and Betty Jean Bennett.

*Alice Durlinger*  
 My Commission Expires 8-7-95



**NARRATIVE**

The purpose of this plat is to partition a parcel of land that was the old site of the Pondera Sawmill principally in the SW1/4 of Section 25, T6S, R41E, WM, into three parcels at the request of Bob and Jean Bennett. There is a small sliver of land in Section 26 between the section line and the East right-of-way line of Oregon State Highway 203. This partition was appealed to the Union County Court and the Land Use Board of Appeals which has caused a one year delay from the time the survey field work was completed until the appeal process affirmed the correctness of partitioning this property.

The original parcel is recorded as Deed No. 113875 in the Union County deed records. The original survey of the township and section was done by John H. Stone, US Deputy Surveyor, in July, 1875. In 1906, Horace G. Pearson, US Deputy Mineral Surveyor, surveyed Mineral Survey No. 674 in Section 38 of this township and in the process ran the line between Sections 25 and 36.

James Yoelz surveyed a small parcel for Haines Telephone Co. in Section 38 just south of the SW corner of Section 25. The survey is recorded as Union County Map of Survey No. 2-67 in which it appears he used the west 1/4 corner of Section 25 as his principal control. The section corner was not found or set according to the record. In 1980, William Hanley monumented the west quarter, NW and NE section corners from found evidence. There did not seem to be any survey of record in conjunction with this monumentation.

Oregon State Highway No. 203 at one time ran through the middle of this parcel of land, but was moved to its present location so it would not interfere with the sawmill activities. The present highway location represents the westerly and northerly property boundaries for this particular parcel. No record of survey could be found for this portion of highway in the State Highway records in La Grande. No evidence could be found on the ground, other than the highway itself, that would locate the highway right-of-way. No record of the width of the right-of-way could be found other than the Union County tax maps showing it to be 60 feet wide.

It was not required by the partitioning regulations to survey the highway except on the north side of Parcels 1 and 2, but due to the lack of record and possible future development, it was determined that a survey was necessary. To establish the highway location as near as possible, numerous points were taken along the center line as constructed, then best fit lines and curves were placed with deflections of less than 2 feet from the actual center line points to the best fit line. A sixty foot width was used for the highway right-of-way.

There are two irrigation ditches through the property for which no recorded easements could be found. It was decided for the purpose of the ditches. The south boundary of Parcels 1 and 2 are monumented on the 10-foot north offset easement line. The ditches and an OTEC power line are shown on the plat as found to exist on the ground.

The south boundary of the property in this partition was not surveyed with deed and record distances shown. The only corners needed to complete this survey were the north and south quarter corners of Section 25.

The title report is Partition Plat Report #34439 by Abstract & Title Company in La Grande. The well and pipeline easement which is mentioned in the report and is recorded as Microfilm Document No. 57771 was never completed within the terms of the agreement. It is therefore cancelled and not shown on this plat. There is no water right of record for this parcel.

**CERTIFICATION**

I, Leland Lee Myers, a Professional Land Surveyor registered in the State of Oregon, 587 E Auburn Street, PO Box 98, Sumpter, Oregon 97877, completed the survey of this partition on April 26, 1994, by setting proper monuments and do hereby certify that the information shown on this plat is correct to the best of my knowledge.

The initial plat for this partition is the south 1/4 corner of Section 25, T6S, R41E, WM, which is a 2" aluminum pipe 30" long with a 2 1/2" Union County Surveyor aluminum cap from which the exterior boundary is more fully described as follows:

- thence, N0°14'34"E, 2566.17 feet along the center of section line to a point on the south right-of-way line of Oregon State Highway No. 203 which is a No. 5 rebar with a yellow plastic cap marked PLS 899 from which the north quarter corner of Section 25 bears N0°14'34"E, 2701.22 feet;
- thence, along the said right-of-way line N89°44'23"W, 1427.81 feet;
- thence, around a 1402.39 foot radius curve to the left with a chord bearing of S76°32'26"W, 665.22 feet;
- thence, S62°49'18"W, 504.77 feet;
- thence, around a 320.44 foot radius curve to the left with a chord bearing of S32°45'00"W, 321.12 feet;
- thence, S2°40'45"W, 254.61 feet;
- thence, around a 303.82 foot radius curve to the left with a chord bearing of S18°39'46"E, 221.14 feet;
- thence, S40°00'18"E, 853.30 feet;
- thence, around a 346.39 foot radius curve to the right with a chord bearing of S19°34'17"E, 241.87 feet;
- thence, around an approximate 290 foot radius curve to the right with a chord bearing about S18°W, 116 feet to the NW corner of a parcel of property as described in Deed Book 152, Page 250 on the east right-of-way line of Highway 203;
- thence, leaving the highway right-of-way along the northeasterly line to the east corner of the said deed about S80°E, 399 feet to the line between Sections 25 and 36 at a point by the deed S89°49'E, 346 feet from the SW corner of Section 25;
- thence, along the said section line according to Mineral Survey No. 674, N89°43'E about 1692 feet to the Initial Point;
- a parcel of land containing 135.41 acres, more or less.

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

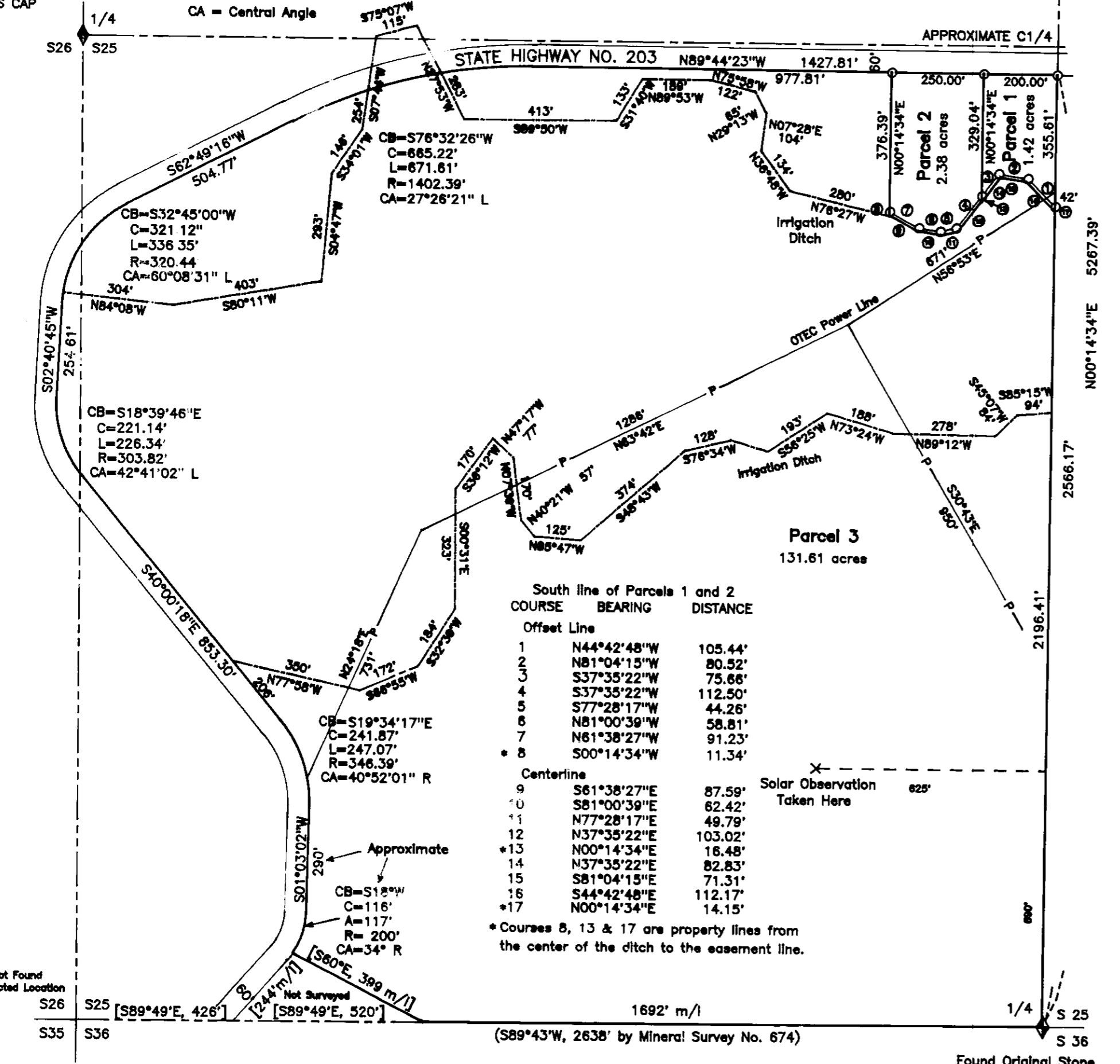
OREGON  
 JULY 9, 1988  
 LELAND LEE MYERS  
 688

Renewal Date 1/1/97

(State of Oregon)  
 (Union County)

I do hereby certify that the attached partition plat was received for recording on the 18th day of May, 1995, at 3:26 o'clock P M and recorded as Partition Plat No. 1995-10, Microfilm No. 159123, filed in Plat Cabinet No. A-392, Union County Records.

*R. Nellie Bogue Hibbert*  
 Union County Clerk  
*Deq. R. Church, Deputy*



Found Original Stone  
 Set Union County Surveyor  
 2" x 30" Aluminum Pipe with  
 2 1/2" Aluminum Cap