

microfilm # 157708
PLAT CAB # A-381

DECLARATION

I, Gary Hopson, do hereby declare that I have caused this partition plat to be prepared and the property partitioned in accordance with Oregon Revised Statutes Chapter 92. I also hereby recognize the existence of the public roadway known as Cove Avenue across the southerly 30 feet of the property shown in my deed.

(STATE OF OREGON)
ss (COUNTY OF BAKER)
Signed and sworn to before me on January 23, 1995 by Gary Hopson.

Julia Woods
My Commission Expires 06/17/97

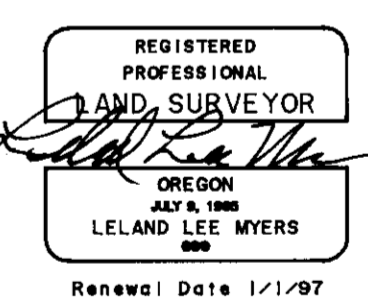


NARRATIVE

The purpose of this plat is to partition a parcel of land in the SW1/4SE1/4 of Section 4, T3S, R38E, WM into three parcels at the request of Gary Hopson. The original parcel is recorded as Deed No. 150019 in the Union County deed records. There have been a number of surveys in which the line between Sections 4 and 9 have used the same bearing of S89°52'31"E as shown on Union County Maps of Survey Nos. 25-84 and 26-88. The southeast corner of Section 4 was set during Union County Survey No. 24-75 and was monumented during Partition Survey No. 1992-22. Several surveys have used the computed 1/4 corner position, but none have set the corner. The corner position does fall on a concrete approach apron to a freeway overpass and it was necessary to drill a hole into the concrete for the corner monument. It is my understanding that if a corner position is used to determine other corner locations then that corner must be set to reduce the prospect of confusion or variation in future surveys. I set the quarter corner at the midpoint between the two section corners in conformity with the "Manual of Instructions for the Survey of Public Lands" and the maps of survey referenced above. The deed for this parcel of land was described as beginning 15 feet west of the east one-sixteenth corner between Sections 4 and 9, and the sixteenth line seems to be the La Grande city limits. This creates a small strip of land attached to a larger parcel of land that may cause city administrators a problem in the future. The survey of this parcel does not require a section breakdown. The deed used cardinal directions on all four courses, so the side lines were made perpendicular to the section line. Also there is no mention of Cove Avenue in the deed and I could not find any record of acquisition by or dedication to the public for this road. There is a mention in the narrative of Survey No. 26-88 that the centerline of Cove Avenue and the section line is not common, but contains no further explanation. It was assumed for the purpose of this survey and partition that the right-of-way is 80 feet wide centered on the section line and has been acquired by acquiescence. There is a water right of record as Certificate No. 6417 in which the ditch was filled in 1970 and no water has apparently been delivered to this parcel since that time. It appears this water right has been abandoned. The original certificate was for over 500 acres on part of which considerable development has taken place.

CERTIFICATION

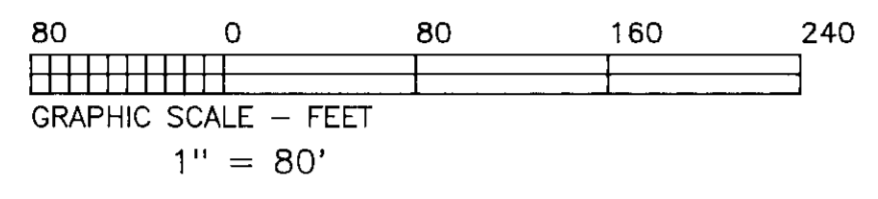
I, Leland Lee Myers, a Professional Land Surveyor registered in the State of Oregon, 587 E Auburn Street, PO Box 98, Sumpter, Oregon 97877, completed the survey of this partition on April 1, 1994, by setting proper monuments and do hereby certify that the information shown on this plat is correct to the best of my knowledge. The initial point for this partition is a No. 5 Rebar thirty inches long with a yellow plastic cap marked PLS 699 which is N89°52'31"W, 15.00 feet and N0°07'29"E, 30.00 feet from East one-sixteenth corner between Sections 4 and 9, T3S, R38E, WM, and is on the northerly right-of-way line of Cove Avenue which was not recognized in the deed, but accepted as a true and existing roadway, from which the exterior boundary, less the roadway, is more fully described as follows: Thence, continuing N0°07'29"E, 770.00 feet to a No. 5 rebar with a yellow plastic cap marked PLS 699; Thence, N89°52'31"W, 400.00 feet to a No. 5 rebar with a yellow plastic cap marked PLS 699; Thence, S0°07'29"W, 770.00 feet to a No. 5 rebar with a yellow plastic cap marked PLS 699; Thence, S89°52'31"E, 400.00 feet to the initial point. a parcel of containing 7.07 acres of land.



(STATE OF OREGON)
ss (COUNTY OF UNION)
I do hereby certify that the attached partition plat was received for recording on the 27th day of January, 1995, at 11:30 o'clock A.M. and recorded as Partition Plat No. 1995-01, Microfilm No. 157708, filed in Plat Cabinet No. A-381, Union County Records.
R Nellie Bogue-Hibbert
Union County Clerk
by: E Davidson, deputy

PARTITION PLAT No. 1995-01

IN THE SW1/4SE 1/4, SECTION 4, T3S, R38E, WM
CITY OF LA GRANDE, UNION COUNTY, OREGON



BASIS FOR BEARINGS
UNION COUNTY MAP OF SURVEY No. 25-84
SECTION LINE BEARING OF S89°52'31"E

APPROVALS

I have reviewed this plat and find it complies with the regulations of the City of La Grande.
[Signature] 1/24/95
City of La Grande Planning Director Date

I hereby certify that pursuant to ORS 92.095, all ad valorem taxes and all special assessments, fees and other charges required by law to be placed on the 1995 tax roll which became a lien on this partition or will become a lien during this calendar year but not yet certified to the tax collector for collection, have been paid to me.

[Signature] 1/27/95
Union County Assessor Date

I hereby certify that all ad valorem taxes and all special assessments, fees and other charges required by law to be placed upon the tax roll which have become a lien on this partition and that are now due and payable have been paid.

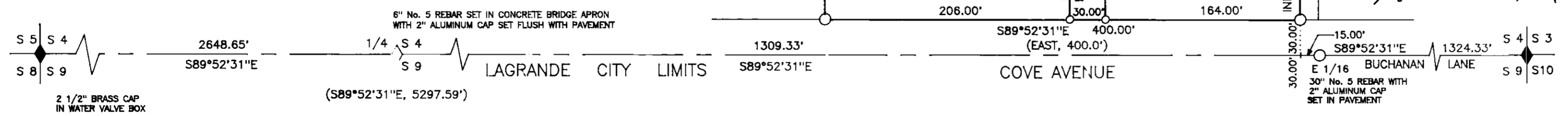
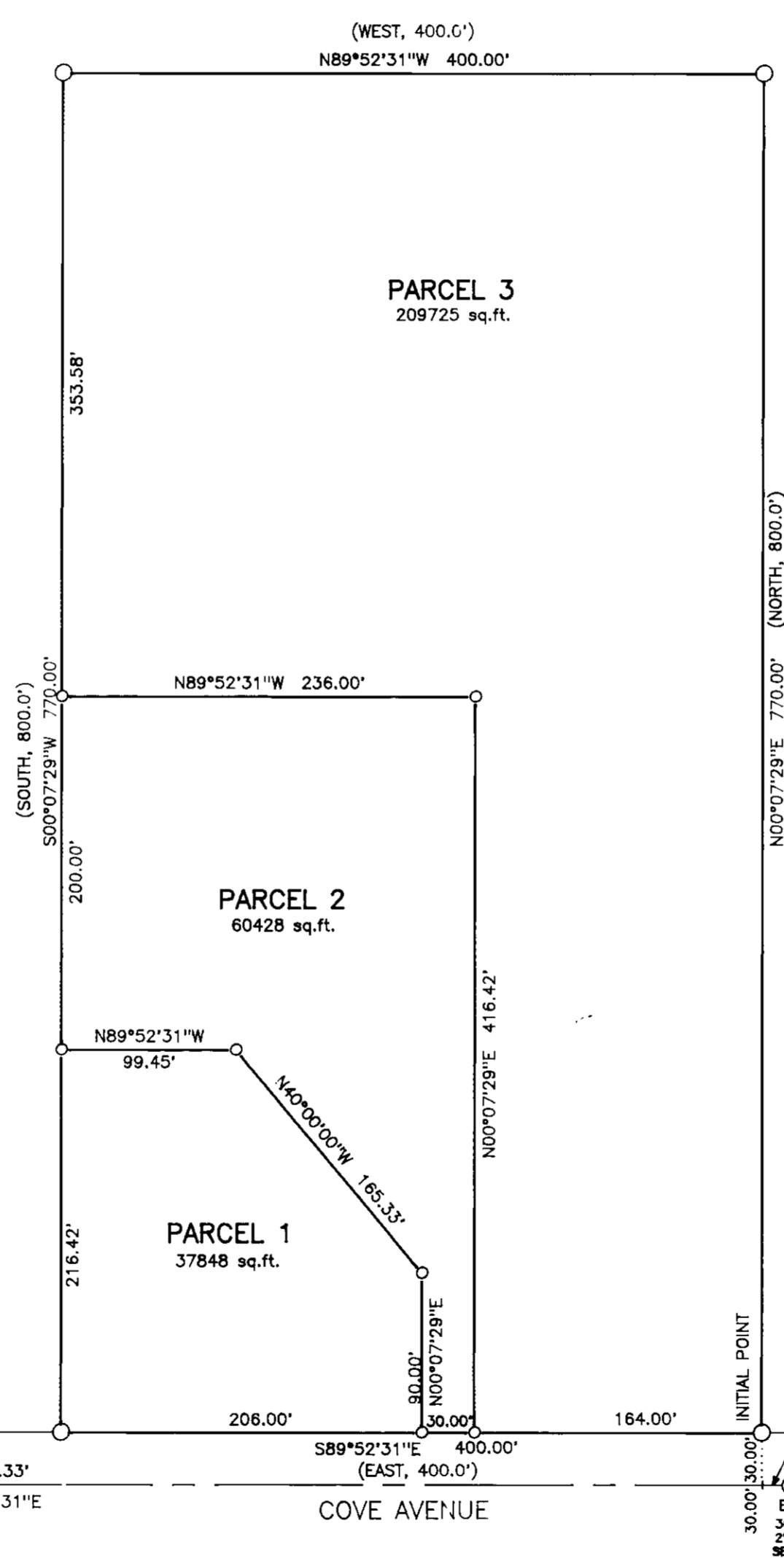
[Signature] 1/27/95
Union County Treasurer Date

I have reviewed this plat under authority of ORS 92.100 and find it complies with ORS Chapter 92 and ORS 209.250.

[Signature] 1-26-95
City of La Grande Surveyor Date

LEGEND

- 24" No. 5 Rebar with Yellow Plastic Cap marked PLS 699 ○
- 30" No. 5 Rebar with Yellow Plastic Cap marked PLS 699 ○
- Found Section Corners ◆
- Monumented Quarter Corner set by Survey ◇
- (Record Bearings & Distances in Parentheses) for MOS No. 25-84 & Deed No. 150019



I, Leland Lee Myers, hereby certify that this is an exact duplicate copy of the partition plat as submitted to the Union County Clerk for recording.