

Partition Plat Number 20140010T

Situate in the North half and Southwest quarter of Section 18, the West half of Section 19, Township 2 South, Range 39 East and in the Northeast quarter of Section 24, Township 2 South, Range 38 East of the Willamette Meridian, Union County, Oregon

Microfilm Number 20141925T

Plat Cabinet Number D257, D258

BASIS OF BEARING

The line between the found monuments at the East Quarter corner of Section 7 and the found monument at the West Quarter corner of Section 7, Township 2 South, Range 39 East of the Willamette Meridian being South 89°34'35" West as stated on map of survey number 16-86 of the Union County Survey Records.

REFERENCE MATERIAL

Union County Monumentation Records
 UPRR Map "La Grande to Elgin" dated Nov. 1890
 ODOT Strip Map 2B-17-10
 ODOT Strip Map 8B-24-10
 ODOT Strip Map 1R-1-1050
 ODOT Strip Map 1R-5-1546
 Old Book of Surveys Page 135 (#65)
 Old Book of Surveys Page 261 (#118)
 Old Book of Surveys Page 321 (#186)
 Survey Number 20-84
 Survey Number 12-88
 Survey Number 002-1993

DEED REFERENCES
 Commissioners Journal A Page 504
 Volume 80 Page 173
 Volume 80 Page 175
 Volume 83 Page 89
 Volume 86 Page 112
 Volume 86 Page 184
 Volume 102 Page 278
 Volume 103 Page 473
 Volume 155 Page 179
 DEED REFERENCES
 Microfilm Number 48907
 Microfilm Number 127992
 Microfilm Number 132561
 Microfilm Number 136543
 Microfilm Number 152669
 Microfilm Number 20031467
 Microfilm Number 20031468
 Microfilm Number 20031958

Survey Report Number 14-25000
 prepared by Eastern Oregon Title, Inc.
 dated May 21, 2014

EASEMENT NOTES

The following easements and encumbrances are listed in the stated Survey Report, but cannot be accurately depicted due to Parcel 2 being an UNSURVEYED Parcel and a lack of exact location in the stated deed (Approximate locations are shown on the face of this plat):

1). Easement granted to California-Pacific Utilities Company including the terms and provisions thereof dated May 3, 1967, recorded May 3, 1967 in Volume 155 Page 179, deed records of Union County, Oregon, for the right to construct, reconstruct, operate and maintain electric power lines and/or gas or water mains, and all necessary poles, towers and appurtenances over, under and upon a strip of land 10 feet in width being described by metes and bounds. The easement was placed on the map at the position of the description of the deed.

2). Easement granted to California-Pacific Utilities Company including the terms and provisions thereof dated March 15, 1974, recorded March 15, 1974 as Microfilm Number 48907 of the deed records of Union County, Oregon, for the right to construct, reconstruct, operate and maintain electric power lines and/or gas or water mains, and all necessary poles, towers and appurtenances over, under and upon a strip of land 10 feet in width being described by metes and bounds with the statement "as staked and located on the ground". The easement was placed on the map at the position of the description of the deed.

3). Limited Access Provisions contained in Deed to the State of Oregon, by and through its' Highway Commission which provides that no right or easement of right of access to, from or across the State Highway other than expressly provided for shall attach to the abutting property, recorded September 5, 1962 in Volume 146 Page 631, and also recorded September 5, 1962 in Volume 146 Page 279 of the deed records of Union County, Oregon, Said warranty deed reserves the right of access for unrestricted use to a 25 ft. width centered on engineers station 326+88 and also at engineers station 363+00. Restriction is depicted on the drawing.

4). Parcel 2 is subject to Terms of agreement dated July 26, 1988 between Bruce B. Andrews and Theresa L. Andrews and John C. Cuthbert and Marita Cuthbert, regarding the rights to water from well on the Cuthbert property; said agreement was recorded October 31, 1988 as Microfilm Number 127992 of the deed records of Union County.

5). Easement, including the terms and provisions thereof, granted to American Telephone and Telegraph Company, dated October 26, 1989, recorded February 21, 1990, as Microfilm Document No. 132561, deed records of Union County, Oregon for the right to construct, operate, maintain, replace and remove underground cables, wave guides, wires, conduits, manholes, drains, splicing boxes, repeaters, repeater housings and other appurtenances upon, over, under and across a strip of land 20 feet in width. Notice of final description recorded March 20, 1991 as deed microfilm number 136543, deed records of Union County. This easement falls on unsurveyed Parcel 2 and the approximate location is shown on the face of the plat.

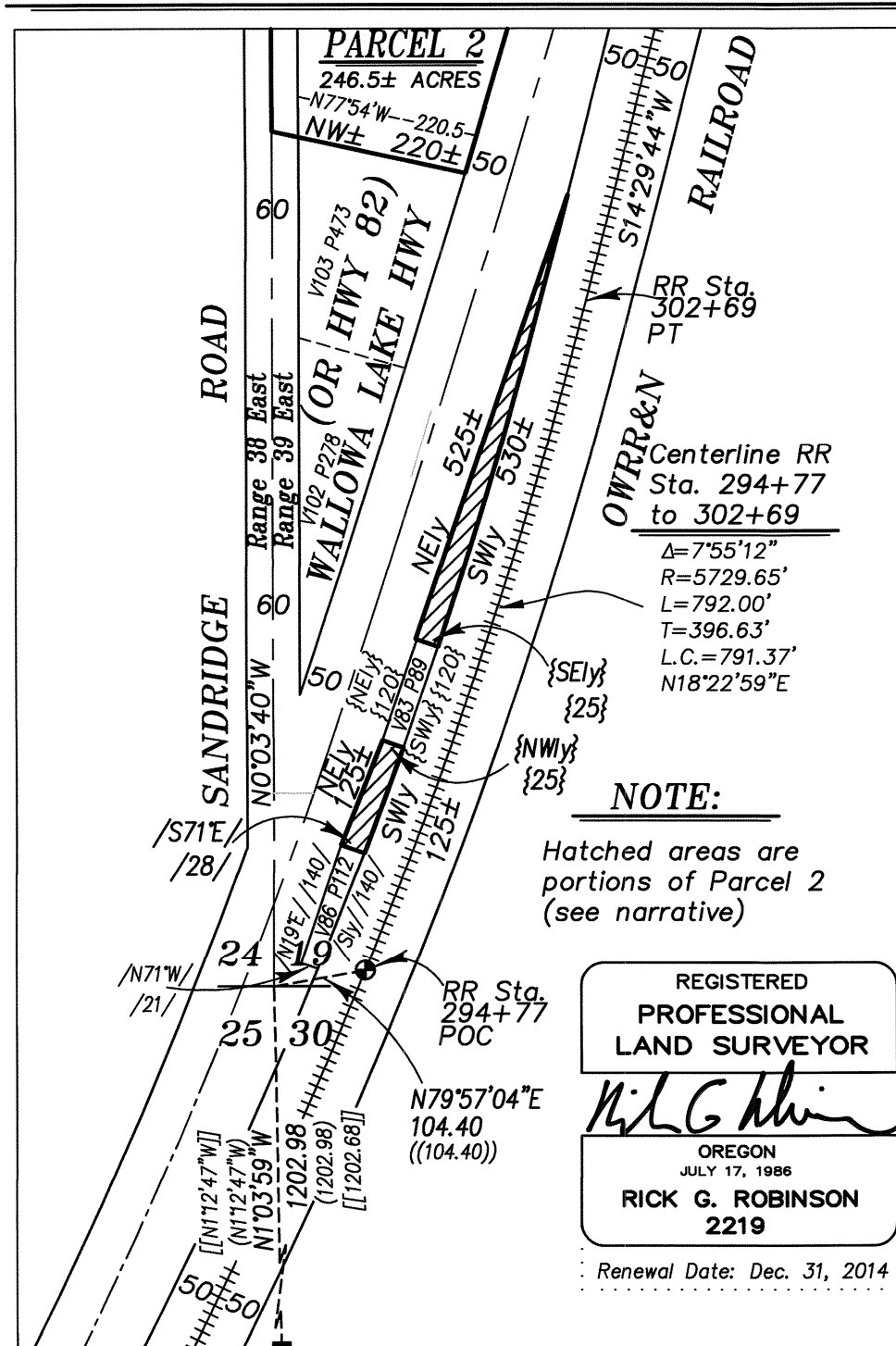
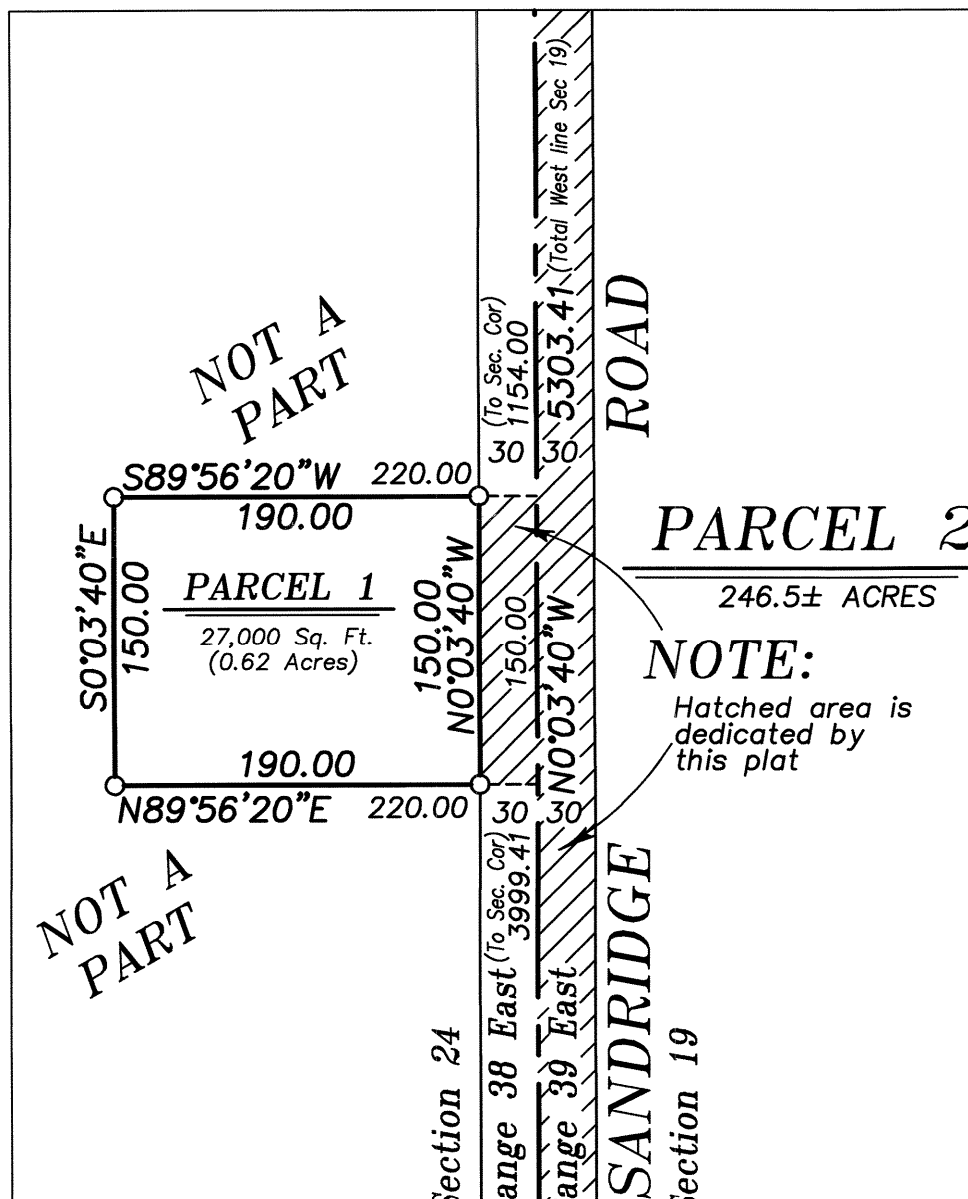
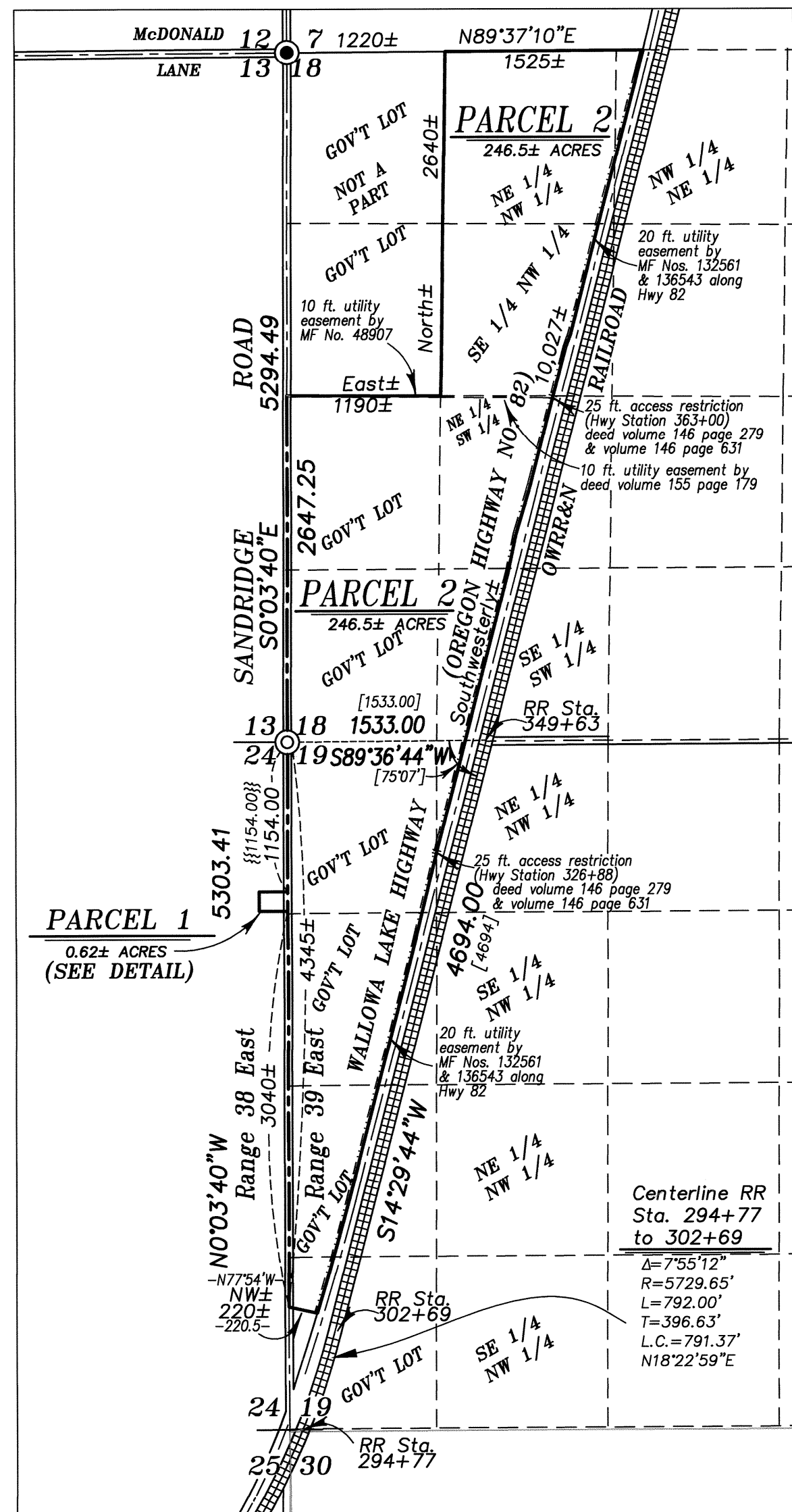
6). Easement, including the terms and provisions thereof, granted to John C. Cuthbert and Marita Cuthbert, recorded March 17, 1994, as Microfilm Document No. 152669, deed records of Union County, Oregon for a septic system. This easement does not fall within this partition, but is listed in the stated Survey Report as Item #8.

LEGEND

- Found 5/8" iron pin with 2 1/2" aluminum cap as per Union County Monumentation records
- Found PK nail set by Survey Number 20-84
- Found 5/8" iron pin set by Survey Number 20-84
- ⊙ Set 5/8"x30" iron pin with 2 1/2" aluminum cap for Section Corner
- Set 5/8" iron pin with plastic cap marked "BGB SURVEY MARKER"
- Centerline
- - - Easement line
- +++++ Railroad centerline
- [] Record information of Old Book of Surveys, Page 261 (#118)
- (()) Record information of Survey Number 20-84
- () Record information of Survey Number 12-88
- [[]] Record information of Survey Number 002-1993
- { } Record information of Deed Volume 83 Page 90
- / / Record information of Deed Volume 86 Page 113
- - Record information of Deed Volume 103 Page 473
- {{ }} Record information of Deed Microfilm Number 20031467

NARRATIVE

This partition was done at the request of John Cuthbert. Parcel 2 of this partition is UNSURVEYED and not monumented. In order to place the parcel in Section 24, it was necessary to establish the East line of the Section. I set the Northeast corner of the Section by retracing the survey in the Old Book of Surveys on Page 261 (#118). That survey gave positions of the section corners along the Range line by offsets from the railroad right of way. I located the physical centerline of the railroad and used the stationing provided by survey 20-84 at the found nail at station 294+77. I then retraced the centerline of the track to establish station 349+63. I then turned the record angle from the railroad centerline and went record distance West to establish the position of the centerline. This position is harmonious with the physical centerline of the road and the lines of occupation to the West. I place the position of the Southeast corner of Section 24 at record distance from the found pin and found nail of survey number 20-84. This position falls in the State Highway and no monument was set. I did set references to the corner (see monumentation sheet filed separately). I then place Parcel 2 by record information of microfilm number 20031467, with the lines parallel with and perpendicular to the East line of Section 24. The portion of this partition that falls in Range 39 East is unsurveyed and described as all of the portions of the sections lying West of the railroad. It then excepts out tracts for the highway and for several private ownerships. At the Southern portion of Parcel 2 there is an area that falls between the new and old right of way of Highway 82. There are two exceptions taken out of this area, leaving two small isolated tracts between the railroad and highway that are still within the Cuthbert ownership. This falls within the unsurveyed portion and cannot be accurately located without benefit of survey, but I do show the approximate location of these isolated portions of ownership. This plat also dedicated that portion of Sandridge Road within this partition that was originally created by petition. I find no other unusual conditions on this partition.



REGISTERED PROFESSIONAL LAND SURVEYOR
 Rick G. Robinson
 OREGON JULY 17, 1988
 RICK G. ROBINSON 2219
 Renewal Date: Dec. 31, 2014

SURVEYOR'S EXACT COPY STATEMENT

I, Rick G. Robinson, registered Oregon Surveyor No. 2219, do hereby certify that I am the Surveyor who prepared the Partition Plat No. 20140010T and that the annexed tracing is an exact copy of said Partition Plat as the same is on file in UNION COUNTY Cabinet Number D257, D258 of the Plat Records of UNION COUNTY, and said exact copy is submitted as per O.R.S. 92.120.

Rick G. Robinson
 Rick G. Robinson, OPLS 2219

Partition Plat Number 20140010T

Microfilm Number 20141925T
Plat Cabinet Number D 257, D 258

Situate in the North half and Southwest quarter of Section 18, the West half of Section 19, Township 2 South, Range 39 East and in the Northeast quarter of Section 24, Township 2 South, Range 38 East of the Willamette Meridian, Union County, Oregon

SURVEYOR'S CERTIFICATE

I, Rick G. Robinson, Registered Professional Land Surveyor, hereby certify that I have platted the land UNSURVEYED Parcel 2 and surveyed and platted Parcel 1 of this partition, situate in the Northeast quarter of Section 24, Township 2 South, Range 38 East of the Willamette Meridian, and in the North half and the Southwest quarter of Section 18 and in the West half of Section 19, Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

TOWNSHIP 2 SOUTH, RANGE 38 EAST OF THE WILLAMETTE MERIDIAN:

SECTION 24:

Commencing at a point on the East line of said Section 24, which point is 1154 feet South of the Northeast corner of Section 24 (said point also being 6794.27 feet North of the East quarter corner of Section 25 of said Township and Range;

- Thence; South 89°56'20" West, a distance of 220.00 feet,
- Thence; South 0°03'40" East, a distance of 150.00 feet,
- Thence; North 89°56'20" East, a distance of 220.00 feet, to the East line of said Section 24,
- Thence; North 0°03'40" West, along said East line, a distance of 150.00 feet, to the Point of Beginning of this description.

TOWNSHIP 2 SOUTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN:

SECTIONS 18 AND 19:

That part of the East half of the Northwest quarter and that part of the Northwest quarter of the Northeast quarter of Section 18, Township 2 South, Range 39 East of the Willamette Meridian, lying West of the Elgin Branch of the Oregon-Washington Railroad and Navigation Company's Railroad

Also including all that part of the Southwest quarter of Section 18, and that part of the West half of Section 19, lying West of the right of way of the Joseph Branch of the Oregon-Washington Railroad and Navigation Company Railroad

EXCEPTING THEREFROM: a strip of land adjacent to and along the Westerly side of the right of way of the Oregon-Washington Railroad and Navigation Company for State Highway, as conveyed by deeds recorded in Volume 80 Page 175 and in Volume 86 Page 184 of the deed records of Union County, Oregon,

ALSO EXCEPTING a strip of land for the La Grande-Joseph Highway of variable 70 and 75 feet in width as conveyed by deed recorded in Volume 80 Page 175 of the deed records of Union County,

ALSO EXCEPTING the parcel of land in the Southwest corner of the Southwest quarter of said Section 19, conveyed to Grande Ronde Grain Company by deed recorded in Volume 86 at Page 112 of the deed records of Union County, Oregon, said parcel being 140 feet in length and varying from 21 to 28 feet in width lying between the right of way of the railroad and the La Grande-Joseph Highway.

ALSO EXCEPTING the parcel of land in the Southwesterly corner of the Southwest quarter of said Section 19, conveyed to Grande Ronde Grain Company by deed recorded in Volume 83 at Page 89 of the deed records of Union County, Oregon, said parcel being 25 feet in width and 120 feet in length, lying between the right of way of the railroad and the La Grande-Joseph Highway.

ALSO EXCEPTING the parcel of land in the Southwesterly corner of the Southwest quarter of said Section 19, conveyed to the State of Oregon by and through its State Highway Commission, by two deeds, one being recorded in Volume 102 Page 278 for 0.81 acre, and the other recorded in Volume 103 Page 473 for 0.97 acre. Said parcels lying in the angle formed by the county road on the West and by the La Grande-Joseph Highway on the Easterly side thereof.

ALSO EXCEPTING tracts conveyed to the State of Oregon by and through its State Highway Commission, for the relocated Willowa Lake Highway (commonly called La Grande-Joseph Highway) by deeds dated December 24, 1962 (deed Volume 146 Page 631) and dated September 5, 1962 (deed Volume 146 Page 279) all referring to the deed records of Union County, Oregon.

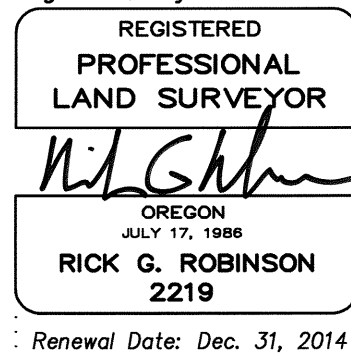
Subject to easements of record or as they exist.

Subject to rights of the public in County Road No. 25 (Sandridge Road), over and across the land within the above described tract.

Said tract containing approximately 247 Acres including county road right of way.

I further certify that I made this plat by order of and under the direction of the owners thereof, and that the boundary of Parcel 1 is surveyed and monumented in accordance with O.R.S. 92.050 and 92.060, with Parcel 2 being unsurveyed.


Rick G. Robinson, OPLS 2219
Baggett, Griffith and Blackman
2006 Adams Avenue
LaGrande, OR 97850



SURVEYOR'S EXACT COPY STATEMENT

I, Rick G. Robinson, registered Oregon Surveyor No. 2219, do hereby certify that I am the Surveyor who prepared the Partition Plat No. 20140010T and that the annexed tracing is an exact copy of said Partition Plat as the same is on file in UNION COUNTY Cabinet Number D 257, D 258 of the Plat Records of UNION COUNTY, and said exact copy is submitted as per O.R.S. 92.120.


Rick G. Robinson, OPLS 2219

DECLARATION

Know all people by these presents that JOHN C. CUTHBERT and MARITA CUTHBERT, as trustees of the J & M CUTHBERT LIVING TRUST dated October 5, 1994 and JAY MACKLEY and JERI MACKLEY, are the owners of the land within this Partition, being more particularly described in the accompanying Surveyor's Certificate, and have caused Parcel 1 to be surveyed and platted and UNSURVEYED Parcel 2 to be platted as shown on the annexed map and do for ourselves, our heirs and assigns, hereby dedicate, donate and convey to public use forever, the East 30 feet of that portion of Section 24 of Township 2 South, Range 38 East of the Willamette Meridian adjacent to Parcel 1 of this partition, and the West 30 feet of that portion of Sections 18 and 19 of Township 2 South, Range 39 East of the Willamette Meridian adjacent to Parcel 2 of this partition, being a portion of County Road No. 25 (Sandridge Road) as shown on the annexed map, in accordance with O.R.S. Chapter 92.



JOHN C. CUTHBERT, Trustee
J & M CUTHBERT LIVING TRUST


MARITA CUTHBERT, Trustee
J & M CUTHBERT LIVING TRUST


JAY MACKLEY


JERI MACKLEY

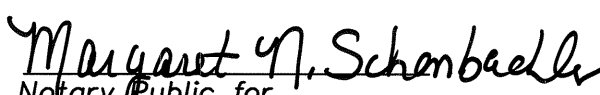
Know all people by these presents that NORTHWEST FARM CREDIT SERVICES, FLCA are mortgage holders on the land within this partition by virtue of that deed of trust filed as microfilm number 20031958 OF the deed records of Union County, and does hereby consent to the partition and road dedication shown on the annexed map, in accordance with the provisions of O.R.S. Chapter 92.

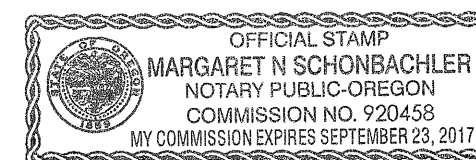

MARK R. COOMER
NORTHWEST FARM CREDIT SERVICES, FLCA

ACKNOWLEDGMENTS

State of Oregon SS
County of Union


Know all people by these presents, on this 27 day of June, 2014, before me a Notary Public in and for said State and County, personally appeared JOHN C. CUTHBERT and MARITA CUTHBERT, who are known to me to be the identical persons named in the foregoing instrument, and who being duly sworn, did say that they executed the same freely and voluntarily.

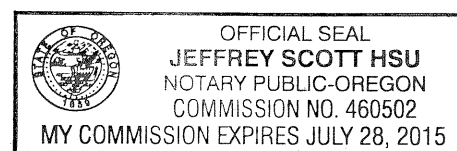

Margaret A. Schonbaeller
Notary Public for
the State of Oregon



State of Oregon SS
County of Union


Know all people by these presents, on this 14 day of July, 2014, before me a Notary Public in and for said State and County, personally appeared JAY MACKLEY and JERI MACKLEY who are known to me to be the identical persons named in the foregoing instrument, and who being duly sworn, did say that they executed the same freely and voluntarily.


Jeffrey Scott Hsu
Notary Public for
the State of Oregon



State of Oregon SS
County of Union

Know all people by these presents, on this 24 day of June, 2014, before me a Notary Public in and for said State and County, personally appeared MARK R. COOMER, an Authorized Representative of NORTHWEST FARM CREDIT SERVICES, FLCA, and who being duly sworn, did say that he executed the same freely and voluntarily.


Kristin L. Walker
Notary Public for
the State of Oregon



APPROVALS


Union County Assessor / Tax Collector

I hereby certify that pursuant to O.R.S. 92.095, all ad valorem taxes and all special assessments, fees and other charges required by law to be placed upon the 2014-2015 tax roll which became a lien on the land within this partition, or will become a lien during the tax year but not certified to the tax collector for collection have been paid.

by  Chief Deputy Date: 7-9-14
Linda L. Hill, Union County Assessor/Tax Collector

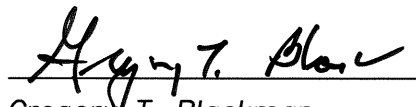
Union County Planning Commission

Approved this 10th day of July, 2014.


Hanley Jenkins II
Union County Planning Director


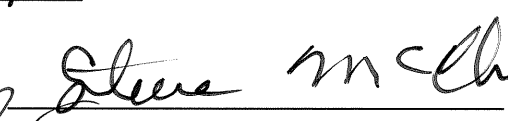

Union County Surveyor

Approved this 15th day of July, 2014.

By 
Gregory T. Blackman
Deputy Willowa County Surveyor

UNION COUNTY COMMISSION

Approved and accepted the dedicated right of way as depicted on this plat this 16th day of JULY, 2014.



Mark D. Davidson

Steve McClure

William D. Rosholt

FILING STATEMENT

Union County Clerk

State of Oregon SS
County of Union

I do hereby certify that the attached partition plat was received for record on this 16th day of July, 2014, at 9:10 o'clock A.M., and recorded in Plat Cabinet No. D 257, D 258 Union County records. Microfilm Number 20141925T

Robin A. Church
Union County Clerk
by  Chief Deputy Clerk