



112-1C

## SURVEYOR'S CERTIFICATE

I, Stephen K. Haddock, a Registered Professional Surveyor in the State of Oregon, do hereby certify that I have correctly surveyed and marked with legal monuments the lands replatted hereby in accordance with ORS Chapter 92 as revised and the subdivision ordinance of Morrow County, Oregon. I do state that the Initial Point of this partition is marked with a 5/8"x30" iron rebar with an orange plastic cap stamped WTS and 56295LS located at the intersection of the south line of Barratt Park Addition and the north-south centerline of Section 35 which point lies SO '30' 30 "E, 110.34 feet, more or less, from the north one quarter corner of said Section 35. The land being replatted hereby is more particularly described as follows:

## LEGAL DESCRIPTION

All that portion of the West Half of the Northeast Quarter of Section 35, Township 2 South, Range 26 East, Willamette Meridian, Morrow County, Oregon, described as: Beginning at the intersection of the North-South centerline of said Section 35 with the South line of Barratt Park Addition to the City of Heppner recorded on October 11th, 1952, in Plat Book 2, Page 11 of the Records of Morrow County, Oregon, said point lying South 0 '30'03" East a distance of 110.34 feet, more or less, from the North One Quarter Corner of said Section 35; thence along said North-South Centerline South 0 30'03" East a distance of 2476.63 feet, more or less, to its intersection with the East-West centerline of said Section 35; thence along said East-West centerline North 89 32 55" East a distance of 1348.66 feet to the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 35; thence along the North-South centerline of the Northeast Quarter of said Section 35, North 1°06'11" West a distance of 2608.55 feet, more or less, to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 35; thence along the North line of said Section 35 to its intersection with the Easterly line of that land conveyed to J.G. Barratt and Gretchen Barratt, husband and wife, by the deed recorded in Book 71, Page 204 of the Deed Records of Morrow County, Oregon, South 88 37 13" West a distance of 2.82 feet; thence along said Easterly line. South 25°38'47" West a distance of 5.23 feet to the Southeast corner of Lot 12 of the Barratt Park Addition to the City of Heppner; thence along the South line of said Lot 12 to the Southwest corner thereof, South 81°53'11" West a distance of 140.00 feet; Thence along the West line of said Lot 12, North 8°15'52" West a distance of 50.18 feet: thence South 81°41'46" West a distance of 59.96 feet, more or less, to the northeast corner of that land conveyed to Donald K. Stroeber and Janet A. Stroeber, husband and wife, by warranty deed recorded as M-8699, Morrow County Deed Records; thence along said Stroeber tract South 8°18'19" East a distance of 80.08 feet, more or less, to the Southeast corner thereof; thence along said Stroeber tract South 81°53'21" West a distance of 200.00 feet to the Southwest corner thereof; thence North 8°18'20" West a distance of 80.00 feet to the Northwest corner thereof, said point being on the South line of Barratt Park Addition to the City of Heppner; thence along said South line of Barratt Park Addition, South 81°51'59" West a distance 921.11 feet to the Point of Beginning. Containing 74.91 Acres, more or less.

Excepting therefrom Parcel 3 of Partition Plat 2012-5 recorded on June 22nd, 2012 as file number 2012-30442, Records of Morrow County, Oregon.

## OWNER'S DECLARATION AND DEDICATION

I, Merlyn A. Robinson, Trustee under the Donald O. and Merlyn A. Robinson Family Trust, dated November 20, 1993, owner of the lands described hereon, do hereby declare that I have caused this plat to be prepared and this land replatted in accordance with ORS Chapter 92 as revised and the subdivision ordinance of Morrow County, Oregon. I do also hereby dedicate to the public forever as a public road that strip of land shown hereon as Horizon Lane. I acknowledge the existing easements identified by document numbers 2010-27055 and 2012-29806 as shown hereon. I also reserve the right to dedicate additional right of way for the extension of Horizon Lane across Parcel 2 of this partition for the future development of Parcel 3 of this partition. This reservation shall inure to and be for the benefit of Parcel 3 of this partition and shall terminate upon the completion of such future dedication.

State of: Ohegon County of: Morrow

On this 2 Day of Occember, 2016, the above named individual appeared personally before me and is known to me to be the identical individual who executed the Owner's declaration and acknowledged that she did so freely and

voluntarily.

Commission number: 944739

My commission expires: Feb 2,2018

## NARRATIVE OF SURVEY

This replat was prepared at the request of Mr. Kyle Robinson. The purpose of the replat is to amend the description of the exterior boundary of Parcel 2, Partition Plat 2012-5 and to divide the ammended parcel into the three parcels as shown hereon.

In 1942, J.G. Barratt purchased the Northeast Quarter of Section 35 from J.L. Morrow. (Deed Book 47, Page 33). The land was conveyed using an aliquot part description. In 1952 the Barratts recorded the plat of Barratt Park Addition to the City of Heppner. In 1966 the Barratts conveyed a portion of the West Half of the Northeast Quarter of Section 35 to Barratt Ranches, Inc. by the deed in Book 73, Page 565 using a metes and bounds description. In this description, the east line of the property conveyed ran from the southeast corner of the Southwest Quarter of the Northeast Quarter "north to the Southeast corner of Lot 12 of Barratt Park Addition". As the Southeast corner of Lot 12 is not on the aliquot part line, the change in the description from aliquot part to metes and bounds omitted a wedge of land along the east side of the West Half of the Northeast Quarter. This omission was continued in the deed from Barratt Ranches. Inc. to the Robinsons (M-24988) in which the East Half of the Northeast Quarter was conveyed by aliquot part and that portion of the West Half by the same metes and bounds used in Book 73, Page 565.

The legal description given in Partition Plat 2012-5 for that area shown as Parcel 2 was not the metes and bounds description from the Robinson's deed but instead called for the "East Half of the Northeast Quarter". It then cited as exceptions the Barratt Park Addition and the lands of Stroeber which are in the West Half. This erroneous description failed to reveal the omitted lands along the east side of the partition. The situation was further obscured by the partition plat showing the Southeast corner of Lot 12 of Barratt Park Addition to be at the 1/16th corner. By holding the Southeast corner of Lot 12 at the 1/16th, the south line of Lot 12 was 5.13 feet longer than record and the east line of Lot 12 was 4.48 feet shorter than the original plat record distance. A comparison of the record plat distances with possessory lines and found monuments shows no justification for this deviation from the plat record.

In preparation for this replat, title to the omitted strip was vested in the Robinson Family Trust by the quiet title action Case No. 16CV35455. To establish the correct location of the Southeast corner of Lot 12 I first calculated the Northwest corner of Barratt Park at 41' north of the 1/4 corner as shown. I held the found monument at the Northwest corner of Lot 12 (set under survey C-379-K) and projected the north line of the addition easterly the plat distance of 160 feet to establish the Northeast corner of Lot 12. I calculated the Southwest corner of Lot 12 at record plat distance using the found monuments on the west line of Lot 12 as shown on survey C-379-K. I then calculated the Southeast corner of Lot 12 by distance-distance from the Northeast and Southwest corners of the lot. While searching for the monuments reported as set on or inside of Parcel 2, Partition 2012-5, I found none except those set for the corner points of Parcel 3 of that plat which I held to be the true location of that parcel for this plat. In 1981. the Barratts conveyed a portion of land to the United States by deed No. M-18920. The description in that document calls for the north line to be the east-west centerline of Section 35. As the East-West centerline was surveyed and monumented by the Corps of Engineers at that time, and the center quarter monument reported on Partition 2012-5 was not set. I have held the center quarter to be at the intersection of the East-West centerline defined by the Corps monuments and the east line of Parcel 1. Partition plat 2012-5 determined at record distance west of Corps monument 112-10 as shown hereon.

This survey was performed with a Trimble R7/R8 RTK GPS system operated in kinematic mode.

EASEMENT DETAIL

SHOWING DIMENSION DATA

Section 26

Section 35

.06.03"E

FOR THE EASEMENT FROM

DOCUMENT 2010-27055.

HOriz

Parcel 3 Partition 201

# EASEMENT CURVE TABLE

CURVE No.	ARC	DELTA	RADIUS	CHORD	BEARING
C1	41.44'	21 *55 ' 25"	108.31	41.19'	N58 *33 '03 "E
(C1)	41.20	21 *47 ' 38 "	108.31	40.95'	N58 *37 ' 39 "E
C2	105.66	55 <b>*</b> 53 ' 59 "	108.31	101.52'	N19 *38 ' 30 "E
С3	72.47'	15 <b>*</b> 23 ' 39 "	269.74	72.26'	S16 *00 ' 09 "E
(C3)	71.48	15 *21 ' 44"	266.59'	71.26'	N15 *59 ' 03 " W
C4	27.68	22 *35 ' 48 "	70.18'	27.50 '	S12 *24 ' 05 "E
(C4)	27.66'	22 *34 ' 48 "	70.18'	27.48'	N12 *22 ' 29 " W
C5	51.34	22 *35 ' 48 "	130.18'	51.01'	S12 *24 ' 05 "E
(C5)	51.30'	22 *34 ' 49 "	130.18'	51.01'	N12 *22 ' 29 " W
C6	119.02	63 *36 ' 36 "	107.21	113.01	S32 *54 ' 29 " W
(C6)	119.74'	63 <b>*</b> 59 ' 39 "	107.21	113.62'	N33 °04 ' 46 "W

EASEM	ENT LINE	TABLE
LINE No.	BEARING	DISTANCE
L1	S23 *41 ' 58 " E	288.53
(L1)	N23 *39 ' 55 " W	291.42'
L2	S23 *41 '58 "E	290.76'
(L2)	N23 *39 ' 55 " W	291.42'
L3	N01 *06 ' 11 "E	97.54'
(L3)	N01 *05 ' 02 "W	97.06
L4	S00 *59 ' 39 "E	97.02'
(L4)	N01 *05 ' 02 " W	97.06'
L5	S01 *13 '33 "E	96.43'

URVE No.	ARC	DELTA	RADIUS	CHORD	BEARING
C1	41.44'	21 *55 ' 25 "	108.31	41.19'	N58 *33 '03 "E
(C1)	41.20	21 *47 ' 38 "	108.31	40.95'	N58 *37 ' 39 "E
C2	105.661	55 <b>*</b> 53 ' 59 "	108.31	101.52	N19 *38 ' 30 "E
СЗ	72.47'	15 *23 ' 39 "	269.74	72.26'	S16 *00 ' 09 "E
(C3)	71.48	15 *21 ' 44"	266.59'	71.26'	N15 *59 ' 03 "W
C4	27.68	22 *35 ' 48 "	70.18'	27.50'	S12 *24 ' 05 "E
(C4)	27.66'	22 *34 ' 48 "	70.18'	27.48'	N12 *22 ' 29 " W
C5	51.34	22 *35 ' 48 "	130.18	51.01'	S12 *24 ' 05 "E
(C5)	51.30'	22 *34 ' 49 "	130.18'	51.01'	N12 *22 ' 29 " W
C6	119.02	63 *36 ' 36 "	107.21	113.01	S32 *54 ' 29 " W
(C6)	119.74'	63 <b>*</b> 59 ' 39 "	107.21'	113.62'	N33 *04 ' 46 "W

## PARTITION PLAT No. 2017-

A Replat of Parcel 2, Partion Plat 2012-5 Located in the W1/2 of the NE1/4 of Section 35 T2S, R26E, W.M., Morrow County, State of Oregon. SHEET 2 OF 2

## ACCESS EASEMENT CENTERLINE CURVE AND TANGENT TABLE

FOR RELOCATABLE EASEMENT PER DEED 2012-29806. ALL DATA IS RECORD FROM PARTITION 2012-05.

CURVE No.	ARC	DELTA	RADIUS	CD/TAN	BEARING
(E1)				188.68'	S62 *07 '00 "E
(E2)	78.96'	03 *42 ' 36 "	1219.43	78.96'	S60 *15 ' 41 "E
(E3)				206.50'	S58 *24 ' 22 "E
(E4)	81.71'	09 *35 ' 28"	488.13	81.71'	S63 *12 ' 26 "E
(E5)				583.66'	S68 *00 ' 30 "E
(E6)	293.17	29 *04 ' 10 "	577.84'	290.38'	S82 *33 ' 38 "E
(E7)				32.25'	N82 *53 ' 14 "E
(E8)	57.99'	02 *18 ' 34 "	1438.73'	57.99'	N81 *43 ' 57 "E

Note: The access easement from Deed 2012-29806 is relocatable upon written notice and the presentation of a map of survey. A note on partition plat 2012-05 states that the "easement" was rewritten. There being significant differences between the two descriptions as to the location of the easement facilities and the location of Morrow Street in the City of Heppner, and it not being the purpose of this replat to be the survey for the final agreement, only the record data from Partition Plat 2012-05 is given hereon.

## REFERENCE DEEDS

BOOK & PAGE / DOCUMENT NO. STIPULATED GENERAL JUDGMENT CASE NO. 16CV35455

DEED BOOK 47, PAGE 33 DEED BOOK 71, PAGE 204

DEED BOOK 73. PAGE 565

DEED M-8699 DEED M-18290

DEED M-24988 DEED M-45161

DEED 2004-12296 DEED 2010-27055

DEED 2012-29806 DEED 2015-36039 JULY 9, 2001 STEPHEN K. HADDOCK

REGISTERED

PROFESSIONAL

LAND SURVEYOR

56295LS

RENEWS 6-30-17

### FASEMENT NOTE:

The easement from document 2010-27055 was created as a private access easement. However, it was included in the public road data table and consequently the public road dedication and acceptance shown on Partition plat 2012-5. Deviations in the dimension data in this detail are due to an attempt to make the record match the found monuments. This partition will not make changes to the legal location of the right of way as established by the prior documents.

> RECEIVED BY Morrow County Surveyor

Date: 1-18-2017 Rec'd By: S.K.H. No.: 2017-1784C Folder No.: 1784

OFFICE OF COUNTY RECORDS

MORROW COUNTY, OREGON 2017-39497 PLAT-PART Cnt=1 Stn=23 TCRAWFORD 01/04/2017 02:45:39 PM

\$20.00 \$5.00 \$11.00 \$30.00 \$50.00 \$366.0

l, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk Bobbi Childers - County Clerk



## PARTITION FOR

Mrs. Merlyn Robinson 64583 Spur Loop Road Heppner, OR 97836

LOCATION: SE1/4 SE1/4 S26 and NE1/4 S35. T2S. R26E, W.M., Morrow County, Oregon PROJECT DATE: August 1, 2016

Project No. 16-21

SCALE: 1" = 200'

## WITNESS TREE SURVEYING

Stephen K. Haddock, PLS, CFedS P.O. Box G Pilot Rock, Oregon 97868 (541) 443-2922