

PARTITION PLAT 2021-4
 REPLAT OF A PORTION OF LOT 1,
 BLOCK 1, KINSMAN'S SECOND ADDITION
 TO THE CITY OF HEPPNER

AMENDED BY AFFIDAVIT OF CORRECTION
 2021-48433 AS ATTACHED HERETO

SURVEY NARRATIVE

THIS REPLAT HAS BEEN PREPARED AT THE REQUEST OF PIONEER MEMORIAL THERAPY SERVICES AND HOPE LUTHERAN CHURCH TO RECONFIGURE TAX LOT 2200 OF MAP 252635CA. THE PURPOSE OF THIS PLAT IS TO DIVIDE THE CURRENT TAX LOT INTO TWO SEPARATE PARCELS. THE DIVISION LINE HAS BEEN CALCULATED AT THE DIRECTION OF THE TWO PARTIES; IT IS 9 FEET NORTHEASTERLY OF THE BOTTOM TIER OF THE EXISTING STONE RETAINING WALL.

TAX LOT 2200 ORIGINATES FROM LOT 1, BLOCK 1 OF KINSMAN'S SECOND ADDITION TO THE CITY OF HEPPNER. THE BOUNDARY AS SHOWN IS THE RESULT OF VESTING DEED RECORDED UNDER BOOK 60, PAGE 19, AND SUBSEQUENT DEEDS RECORDED UNDER BOOK 59, PAGE 412; BOOK 60, PAGE 373; BOOK 61, PAGE 406; AND BOOK 61, PAGE 407, ALL DEED RECORDS OF MORROW COUNTY, OR. THE COMBINATION OF THESE CONVEYANCES RESULTS IN THE BOUNDARY CONFIGURATION AS SHOWN. THE BOUNDARIES OF SAID BLOCK 1 AS SURVEYED IN OCTOBER OF 1892 AND FILED IN FEBRUARY OF 1893 ARE CONTROLLING. THE PLAT SPECIFICATIONS DESCRIBE SETTING 2X2X12 FIR STAKES AT EACH CORNER OF EACH LOT. A SEARCH WAS MADE FOR THESE STAKES; HOWEVER, NONE WERE FOUND. IN 1916, COUNTY SURVEYOR LOY TURNER SET IRON PIPE MONUMENTS AT THE CORNERS OF SAID BLOCK 1 (RECORD R2). I FIND THE SOUTHWEST PIPE LEANING SLIGHTLY AND THE NORTHWEST PIPE IN GOOD CONDITION, AS SHOWN. BRIDGE CONSTRUCTION AT THE NORTHEAST CORNER AND ROAD CONSTRUCTION AT THE SOUTHEAST CORNER HAVE RESULTED IN THE RECORD MONUMENTS IN THOSE LOCATIONS BEING DESTROYED. NO EVIDENCE WAS IDENTIFIED AT EITHER LOCATION. IN 1983, EARL MING COMPLETED A SURVEY FOR PORTIONS OF KINSMAN'S FIRST AND SECOND ADDITIONS LYING NORTH OF WILLOW CREEK. HIS SURVEY INDICATES FINDING THE SOUTHWEST AND NORTHEAST CORNERS OF BLOCK 1, KINSMAN'S SECOND ADDITION AND CALCULATED AND SET A 5/8" REBAR AT THE NORTHWEST CORNER OF SAID BLOCK 1. I FOUND THE REBAR AS SHOWN BUT DID NOT HOLD MING'S SURVEY; THE 1916 TURNER MONUMENTS FOUND AT THE NORTHWEST AND SOUTHWEST CORNERS OF BLOCK 1 ARE CONTROLLING IN THIS SURVEY. THE REMAINDER OF BLOCK 1 WAS CALCULATED AT RECORD PLAT DIMENSIONS PER KINSMAN'S SECOND ADDITION TO THE TOWN OF HEPPNER. I ALSO COMPUTED THE LOCATION OF BLOCK 2 OF KINSMAN'S SECOND ADDITION AND COMPARED AGAINST WHAT I BELIEVE TO BE THE OLDEST USE LINE IN THE DIVISION, AN OLD CONCRETE WALL AND FENCE MEASURED ALONG THE SOUTHEASTERLY RIGHT OF WAY OF ALFALFA STREET. THE RESULTING ALIGNMENT COINCIDES WELL AS SHOWN.

THE NORTH LINE OF TAX LOT 2200 WAS COMPUTED FROM DEED CALLS IN BOOK 60, PAGE 373; BOOK 61, PAGE 406; AND BOOK 61, PAGE 407, MORROW COUNTY DEED RECORDS. THE SOUTHERLY MOST CORNER OF TAX LOT 2200 WAS COMPUTED FROM BOOK 59, PAGE 412, MORROW COUNTY DEED RECORDS, WHICH WAS DEEDED TO THE CITY OF HEPPNER FOR ROAD RIGHT-OF-WAY.

THIS SURVEY WAS PERFORMED USING TWO TOPCON HIPER LITE+ GNSS UNITS OPERATED IN RTK MODE, AND A TOPCON GPT9003A ROBOTIC TOTAL STATION. THE BASIS OF BEARINGS IS THE NORTHWESTERLY BOUNDARY LINE OF BLOCK 1, KINSMAN'S SECOND ADDITION TO THE CITY OF HEPPNER AS ESTABLISHED BY MEASURE TO FOUND MONUMENTS AS SHOWN. DISTANCES ARE GROUND, UNITS ARE INTERNATIONAL FEET.

RECORDS OF REFERENCE

- R1: KINSMAN'S SECOND ADDITION TO THE TOWN OF HEPPNER FILED FEBRUARY 6, 1893.
- R2: FOLDER 754 BY LOY TURNER, DATED JULY 1916, MORROW COUNTY SURVEY RECORDS.
- R3: FOLDER 229 BY EARL MING, DATED MAY 31, 1983, MORROW COUNTY SURVEY RECORDS.
- R4: FOLDER 794 BY GARY LANGLITZ, FILED FEBRUARY 8, 1984, MORROW COUNTY SURVEY RECORDS.

MONUMENT TABLE

- ⓐ FOUND 1-1/4" IRON PIPE PER RECORD R2, DOWN 14" AND IN GOOD CONDITION; HELD.
- ⓑ FOUND 1-1/4" IRON PIPE PER RECORD R2, 6" BELOW SURFACE AND LEANING SLIGHTLY TO THE SOUTHWEST; HELD. MEASURED AT TOP OF PIPE.
- ⓒ FOUND 5/8" STEEL REBAR PER RECORD R3 NEAR THE SURFACE, NO CAP. NOT HELD. BEARS S48°57'47"E, 5.25' FROM THE NW CORNER OF BLOCK 1 (MON "A").
- ⓓ FOUND USACE ALUMINUM CAP PER RECORD R4; NOT HELD FOR BOUNDARY DETERMINATION OF THIS PLAT.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Matthew P. Kenny

OREGON
 JAN 12, 2016
 MATTHEW PATRICK KENNY
 89374PLS

RENEWS: 6-30-21

OFFICE OF COUNTY RECORDS

MORROW COUNTY, OREGON 2021-48072
 PLAT-PART 01/29/2021 03:18:52 PM
 Cnt=1 Stn=23 TC \$60.00 \$5.00 \$11.00 \$30.00 \$50.00 \$406.00



00042570202100480720020027
 I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
 Bobbi Childers - County Clerk



KENNY LAND SURVEYING

P.O. BOX 447, HEPPNER, OR 97836 || 541-379-0242 || KENNYMATT@LIVE.COM

REPLAT OF A PORTION OF LOT 1, BLOCK 1, KINSMAN'S SECOND ADDITION
 LOCATED IN THE NE1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 2 SOUTH,
 RANGE 26 EAST, W.M, CITY OF HEPPNER, MORROW COUNTY, OR.

CLIENT: PIONEER MEMORIAL THERAPY SERVICES
 HOPE LUTHERAN CHURCH

PROJECT: 21-OR-01_SHELLEY | DR: MPK | CH: MPK | DATE: JAN. 19, 2021 | SHEET 1 OF 2

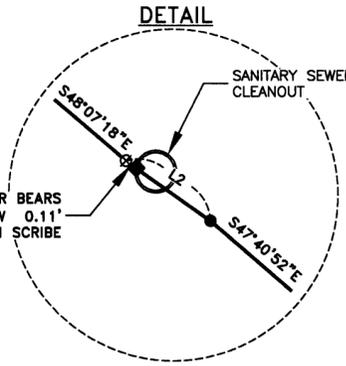
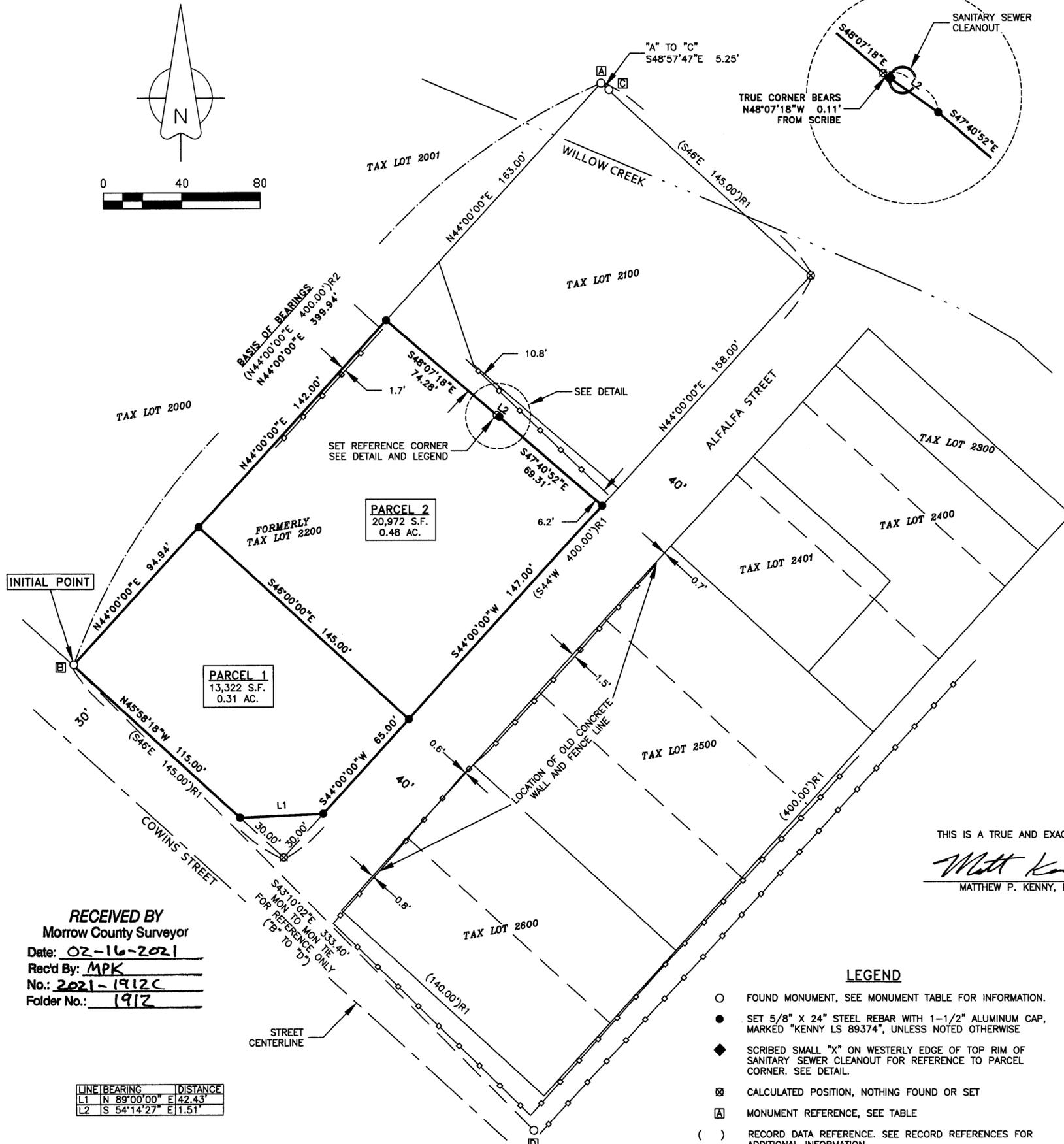
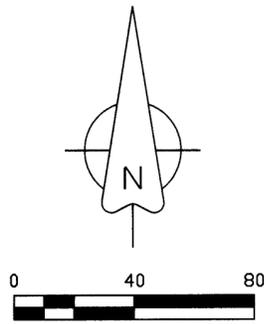


LEGEND

- FOUND MONUMENT, SEE MONUMENT TABLE FOR INFORMATION.
- SET 5/8" X 24" STEEL REBAR WITH 1-1/2" ALUMINUM CAP, MARKED "KENNY LS 89374", UNLESS NOTED OTHERWISE
- ◆ SCRIBED SMALL "X" ON WESTERLY EDGE OF TOP RIM OF SANITARY SEWER CLEANOUT FOR REFERENCE TO PARCEL CORNER. SEE DETAIL.
- ⓐ CALCULATED POSITION, NOTHING FOUND OR SET
- ⓑ MONUMENT REFERENCE, SEE TABLE
- () RECORD DATA REFERENCE. SEE RECORD REFERENCES FOR ADDITIONAL INFORMATION
- FENCE LINE

THIS IS A TRUE AND EXACT COPY

Matthew P. Kenny
 MATTHEW P. KENNY, PLS



RECEIVED BY
 Morrow County Surveyor
 Date: 02-16-2021
 Rec'd By: MPK
 No.: 2021-1912C
 Folder No.: 1912

LINE	BEARING	DISTANCE
L1	N 89°00'00" E	42.43'
L2	S 54°14'27" E	1.51'

2191

1912

AMENDED BY AFFIDAVIT OF CORRECTION
2021-48433 AS ATTACHED HERETO

PARTITION PLAT 2021-4
REPLAT OF A PORTION OF LOT 1,
BLOCK 1, KINSMAN'S SECOND ADDITION
TO THE CITY OF HEPPNER

APPROVALS

I HEREBY CERTIFY THAT I HAVE EXAMINED AND APPROVED THIS PARTITION PLAT IN ACCORDANCE WITH ORS CHAPTER 92 AND THE SUBDIVISION ORDINANCE OF THE CITY OF HEPPNER, ON THIS

29TH DAY OF JANUARY, 2021.

Judd R. Gattison
GILLIAM COUNTY SURVEYOR
O.R.S. 92.100(4)

THIS PARTITION PLAT IS HEREBY APPROVED ON THIS

29 DAY OF 01, 2021.

James Okina
MAYOR, CITY OF HEPPNER

THIS PARTITION PLAT IS HEREBY APPROVED ON THIS

29 DAY OF January, 2021.

Michael D. ...
MORROW COUNTY ASSESSOR /
MORROW COUNTY TAX COLLECTOR

RECEIVED BY
Morrow County Surveyor
Date: 02-16-2021
Rec'd By: MPK
No.: 2021-1912C
Folder #: 1912

OFFICE OF COUNTY RECORDS

MORROW COUNTY, OREGON 2021-48072
PLAT-PART 01/29/2021 03:18:52 PM
Cnt=1 Stn=23 TC \$406.00
\$60.00 \$5.00 \$11.00 \$30.00 \$50.00



00042570202100480720020027
I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Bobbi Childers - County Clerk



OWNER'S DECLARATION (AMENDED BY AFFIDAVIT OF CORRECTION 2021-48433)

WE, HOPE LUTHERAN CHURCH OF HEPPNER, AN OREGON NONPROFIT CORPORATION, OWNERS OF THE LAND BEING PARTITIONED BY THIS PLAT DO HEREBY ACKNOWLEDGE THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED AND THE PROPERTY REPLATTED AS SHOWN HEREON AND IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS REVISED, AND THE SUBDIVISION ORDINANCE OF THE CITY OF HEPPNER, OREGON.

Juan ...
PRESIDENT

1/29/2021
DATE

STATE OF OREGON
COUNTY OF MORROW

ON THE 29TH DAY OF January, 2021, THE ABOVE NAMED INDIVIDUAL APPEARED PERSONALLY BEFORE ME AND ARE KNOWN TO ME TO BE THE IDENTICAL INDIVIDUAL WHO EXECUTED THE OWNER'S DECLARATION AND ACKNOWLEDGED THAT THEY DID SO FREELY AND VOLUNTARILY.

Mindy Lee Wilson
NOTARY PUBLIC FOR THE STATE OF OREGON

COMMISSION NUMBER: 962472

MY COMMISSION EXPIRES: May 14, 2021

SURVEYOR'S CERTIFICATE

I, MATTHEW PATRICK KENNY, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS THE LAND AS SHOWN HEREON IN ACCORDANCE WITH ORS CHAPTER 92, AS REVISED, AND THE SUBDIVISION ORDINANCE OF THE CITY OF HEPPNER, OR. I FURTHER CERTIFY THAT THE INITIAL POINT HAS BEEN IDENTIFIED AS THE 1-1/4 INCH IRON PIPE FOUND AT THE SOUTHWEST CORNER OF BLOCK 1, KINSMAN'S SECOND ADDITION TO THE TOWN OF HEPPNER. I FURTHER CERTIFY THAT I HAVE PROVIDED THE TRACT LEGAL DESCRIPTION IN ACCORDANCE WITH ORS 92.070(1), AS SHOWN "LEGAL DESCRIPTION", BELOW.

Matthew P. Kenny
MATTHEW P. KENNY, PLS
CERTIFICATE NO. 89374

JANUARY 29, 2021
DATE

LEGAL DESCRIPTION

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 26 EAST, WILLAMETTE MERIDIAN, CITY OF HEPPNER, MORROW COUNTY, OREGON, BEING FURTHER DESCRIBED AS FOLLOWS:

LOT 1, BLOCK 1, KINSMAN'S SECOND ADDITION TO THE CITY OF HEPPNER; EXCEPTING THEREFROM THE NORTHEASTERLY 150.00' THEREOF;

EXCEPTING THEREFROM THAT PORTION OF SAID LOT 1, BLOCK 1 DESCRIBED UNDER BOOK 59, PAGE 412, MORROW COUNTY DEED RECORDS;

EXCEPTING THEREFROM THAT PORTION OF SAID LOT 1, BLOCK 1 DESCRIBED UNDER BOOK 60, PAGE 373, MORROW COUNTY DEED RECORDS;

TOGETHER WITH THAT PORTION OF SAID LOT 1, BLOCK 1 DESCRIBED UNDER BOOK 61, PAGE 406, MORROW COUNTY DEED RECORDS;

EXCEPTING THEREFROM THAT PORTION OF SAID LOT 1, BLOCK 1 DESCRIBED UNDER BOOK 61, PAGE 407, MORROW COUNTY DEED RECORDS;

TOGETHER WITH AND SUBJECT TO EASEMENTS, RESERVATIONS, COVENANTS, AND RESTRICTIONS, APPARENT OR OF RECORD.



Matthew P. Kenny
OREGON
JAN 12, 2016
MATTHEW PATRICK KENNY
89374PLS
RENEWS: 6-30-21

THIS IS A TRUE AND EXACT COPY

Matthew P. Kenny
MATTHEW P. KENNY, PLS



KENNY LAND SURVEYING
P.O. BOX 447, HEPPNER, OR 97836 || 541-379-0242 || KENNYMATT@LIVE.COM

REPLAT OF A PORTION OF LOT 1, BLOCK 1, KINSMAN'S SECOND ADDITION LOCATED IN THE NE1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 26 EAST, W.M., CITY OF HEPPNER, MORROW COUNTY, OR.

CLIENT: PIONEER MEMORIAL THERAPY SERVICES
HOPE LUTHERAN CHURCH

PROJECT: 21-OR-01_SHELLEY DR: MPK CH: MPK DATE: JAN. 19, 2021 SHEET 2 OF 2

1912

1912

RECORDING COVER SHEET
(Please Print or Type)

The information on this sheet is a reflection of the attached instrument for the purpose of meeting first page requirements, ORS 205.234.

If this cover page is included with your document, please add \$5.00 to the total recording fees.

AFTER RECORDING RETURN TO:

Morrow County Surveyor

P.O. Box 557

Lexington, OR 97839

MORROW COUNTY, OREGON **2021-48433**

PLAT-AC

Cnt=1 Stn=23 TC

03/25/2021 01:06:53 PM

\$20.00 \$11.00 \$60.00 \$10.00

\$101.00



00043204202100484330040047

I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Bobbi Childers - County Clerk



1) TITLE(S) OF THE TRANSACTION(S) ORS 205.234(a)
Affidavit of Correction (Partition Plat 2021-4)

2) DIRECT PARTY / GRANTOR(S) ORS 205.125(1)(b) and 205.160
Matthew Patrick Kenny

3) INDIRECT PARTY / GRANTEE(S) ORS 205.125(1)(a) and 205.160
Partition Plat 2021-4
Rocky Mountain Therapy Services South, Inc.

4) TRUE AND ACTUAL CONSIDERATION

ORS 93.030(5) - Amount in dollars or other

\$ 0.00

Other

5) SEND TAX STATEMENTS TO:

6) SATISFACTION of ORDER or WARRANT

ORS 205.125(1)(e)

CHECK ONE:
(If applicable)

FULL

PARTIAL

7) The amount of the monetary obligation imposed by the order or warrant. ORS 205.125(1)(c)

\$ _____

8) If this instrument is being re-recorded, complete the following statement, in accordance with ORS 205.244:

"Re-recorded at the request of _____ to correct

previously recorded in Book _____ and page _____, or as Fee Number _____."

AFFIDAVIT OF CORRECTION

PARTITION PLAT 2021-4

I, Matthew Patrick Kenny, P.L.S. No. 89374PLS, being duly sworn, depose and say that I am the surveyor who surveyed the partition plat of Partition Plat 2021-4, as recorded in Document Number 2021-48072 in the Morrow County Clerk Records, Morrow County, Oregon, and;

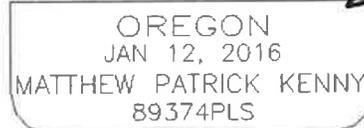
The following correction to said plat is necessary and is as follows:

1. Five hours prior to the recording of said Partition Plat 2021-4, a Statutory Warranty Deed from Hope Lutheran Church of Heppner to Rocky Mountain Therapy Services South, Inc., was recorded under Document Number 2021-48061, Morrow County Clerk Records. The legal description used in that conveyance was in error and a correction deed was recorded in Document Number 2021-48301, Morrow County Clerk Records, correcting the legal description only. Therefore, the owner of land being partitioned in Partition Plat 2021-4 was Rocky Mountain Therapy Services South, Inc., not Hope Lutheran Church of Heppner as shown on page 2 of said plat under the Owner's Declaration.

The present fee owner of the property materially affected by this affidavit is Rocky Mountain Therapy Services South, Inc. Their signed and notarized Affidavit is being recorded with this Affidavit of Correction as "Exhibit A" which is incorporated herein by this reference.



Matthew Patrick Kenny, P.L.S. No. 89374PLS
Registered Professional Land Surveyor
63036 Spur Loop Road
Heppner, OR 97836



RENEWS: 6-30-21

NOTARY STATEMENT:

STATE OF OREGON)
COUNTY OF MORROW)

Signed and sworn to (or affirmed) before me on this 16 day of March, 20 21

Notary Name: Staci Lynn Osmin

Notary Public for the State of Oregon

My Commission Expires: _____



APPROVAL OF CORRECTION

I, Todd Catterson, Gilliam County Surveyor, have been asked by the Morrow County Surveyor to review the Affidavit of Correction. Matthew Kenny is the current Morrow County Surveyor; therefore, I am providing review and approval of this Affidavit pursuant to O.R.S. 92.100(4). I do hereby certify that said Affidavit of Correction for Partition Plat 2021-4 has been examined by me and that it complies with requirements of ORS 92.170.

Todd R. Catterson

NAME: Todd R Catterson

NOTARY STATEMENT:

STATE OF OREGON)
COUNTY OF Cook)

Signed and sworn to (or affirmed) before me on this 22 day of March, 20 21

Brodie J. Kuizenga

Notary Name: _____

Notary Public for the State of Oregon 1008999

My Commission Expires: 2/18/25

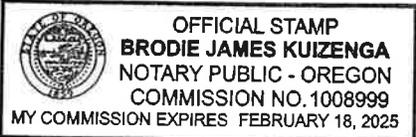


EXHIBIT "A"
AFFIDAVIT OF CONSENT

Partition Plat 2021-4, located in the Northeast 1/4 of the Southwest 1/4 of Section 35, Township 2 South, Range 26 East, Willamette Meridian, City of Heppner, Morrow County, Oregon.

Rocky Mountain Therapy Services South, Inc., hereby consent and agree to have caused said lands to be partitioned into two separate parcels in accordance with the provisions of O.R.S. Chapter 92; and hereby consent to the approval and recording of said plat of Partition Plat 2021-4 as recorded in Document Number 2021-48072 in the Morrow County Clerk Records, Morrow County, Oregon.


NAME: Ty BERRAIT
TITLE: COO

NOTARY STATEMENT:

STATE OF Utah)
COUNTY OF DAVIS)

Signed and sworn to (or affirmed) before me on this 22 day of March, 2021



Notary Name: Kierra Warnken
Notary Public for the State of ~~Oregon~~ Utah
My Commission Expires: 10/28/2023

