

NOTES:

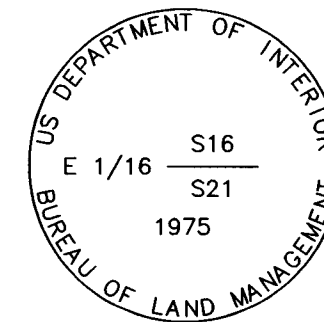
1. BASIS OF BEARING IS GRID, OREGON STATE PLANE (NAD 83 2011), NORTH ZONE, BASED ON GPS OBSERVATIONS. DISTANCES ARE GROUND SCALED FROM GRID USING A COMBINED FACTOR OF 0.99996722 (1.00003278) CALCULATED FROM LAT: 45°54'25.9"N LON: 119°26'28.3"W
2. ○ = SET 5/8" REBAR WITH PINK CAP STAMPED "RSI DPB 86848PLS"
3. ● = DENOTES FOUND 5/8" REBAR MONUMENT AS NOTED
4. * = DENOTES FOUND 1/2" REBAR ±0.3' BELOW GROUND
5. ⊕ = DENOTES FOUND 4" USACE ALUMINUM CAP AS NOTED
6. ✕ = DENOTES CORNER MONUMENT FOUND DESTROYED
7. ⊠ = DENOTES CORNER MONUMENT NOT FOUND OR SET
8. (M) = MEASURED (C) = COMPUTED
(P) = RECORD PER PLAT OF BIRCH LAKE ACRES IN VOL. 2 OF PLATS, PG. 28 (1966)
(R1) = RECORD PER SURVEY B-920-E-685 (GLENN BATES, 1979)
(R2) = RECORD PER SURVEY C-229-K (USACE, 1979)
(R3) = RECORD PER SURVEY C-216-K-393 (GLENN BATES, REV. 1982)
(R4) = RECORD PER SURVEY C-703-K-510 (GANDY, 1984)
(R5) = RECORD PER SURVEY 1465-B (GERALD KINGERY, 2006)
(D) = RECORD PER BARGAIN AND SALE DEED M-2001-1281
9. EQUIPMENT AND PROCEDURES USED: DUAL FREQUENCY GNSS RECEIVERS USING REAL TIME KINEMATIC METHODS.
10. "GROSS" AREA FOR EACH PARCEL INCLUDES LAND LYING WITHIN THE HIGHWAY/RAILROAD EASEMENT AGREEMENT. NET AREA IS THE ACREAGE NOT ENCUMBERED BY HIGHWAY RIGHT-OF-WAY.

USCOE JOHN DAY PROJECT

RECEIVED BY
Morrow County Surveyor
Date: 3-9-2021
Rec'd By: MPK
No.: 2021-1916C
Folder No.: 1916

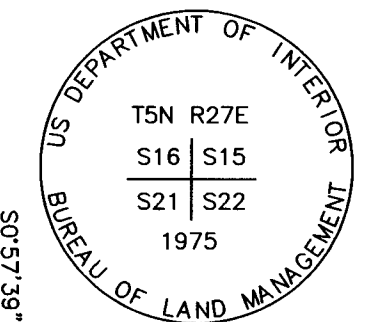
PARTITION PLAT NO. 2021-1

A PORTION OF THE NE 1/4 OF SECTION 21,
TOWNSHIP 5 NORTH, RANGE 27 EAST, W.M.,
MORROW COUNTY, OREGON

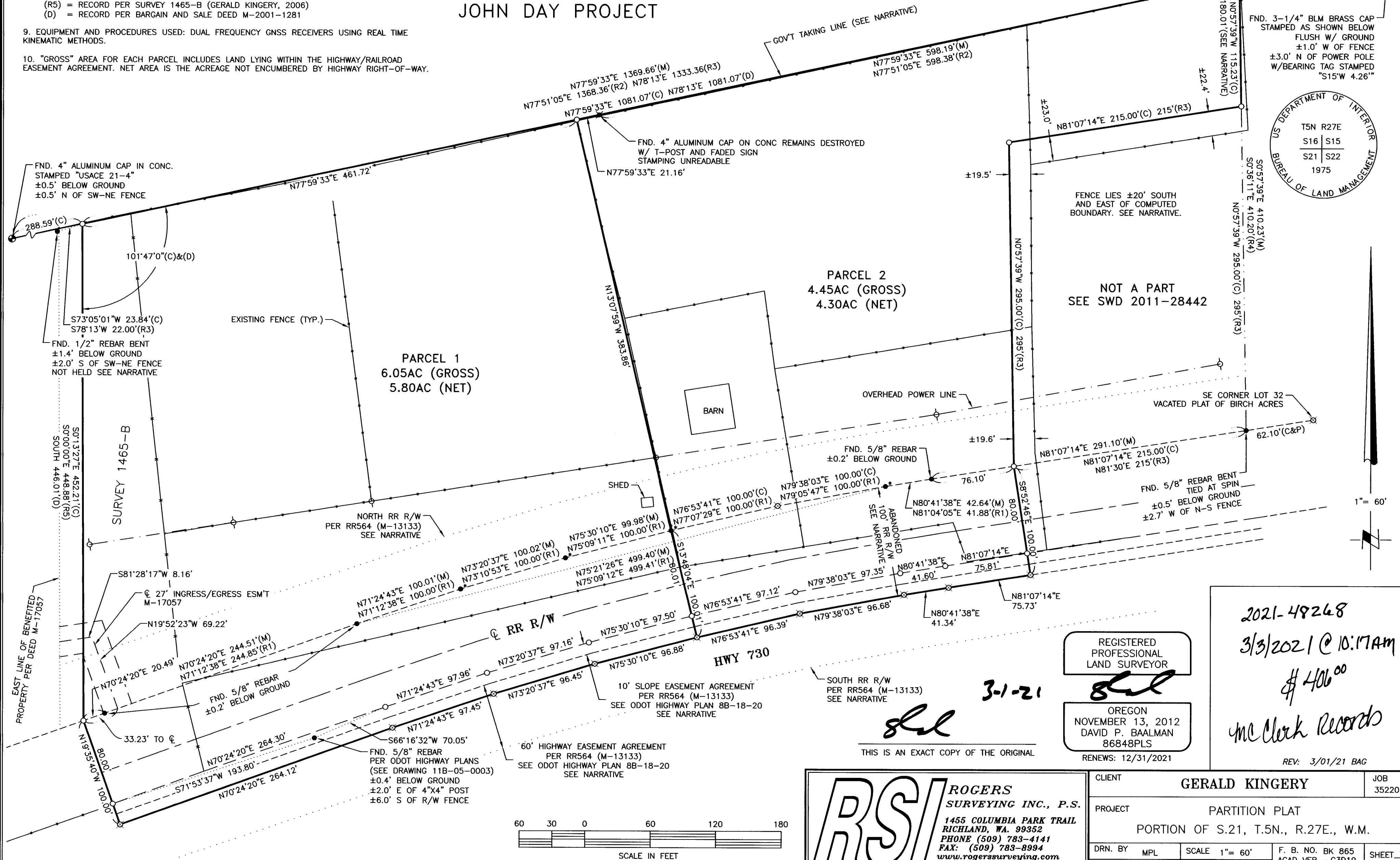


FND. 3-1/4" BLM BRASS CAP
STAMPED AS SHOWN
FLUSH W/GROUND
±1.0' SW OF FENCE-TIE S-SW-NE
T-POST AND FADED SIGN ±3' N
[INITIAL POINT]

N89°39'46"E 1317.91'(M)
N90°00'00"W 1317.5'(P)
N89°34'13"W 1317.90'(R1)
S89°39'20"W 1317.96'(R2)
N90°00'00"E 1317.5'(R3)
N89°58'17"W 1317.81'(R4)
N89°59'29"E 1317.92'(R5)



FND. 3-1/4" BLM BRASS CAP
STAMPED AS SHOWN BELOW
FLUSH W/ GROUND
±1.0' W OF FENCE
±3.0' N OF POWER POLE
W/BEARING TAG STAMPED
"S15W 4.26"



1916

2021-48268
3/3/2021 @ 10:17AM
\$400.00
McClark Records
REV: 3/01/21 BAG

RSI ROGERS
SURVEYING INC., P.S.
1455 COLUMBIA PARK TRAIL
RICHLAND, WA. 99352
PHONE (509) 783-4141
FAX: (509) 783-8994
www.rogerssurveying.com

SURVEYOR'S NARRATIVE:

THE PURPOSE OF THIS PARTITION PLAT IS TO CREATE A NEW PARCEL FROM THE PARENT PARCEL. THE SURVEYED LEGAL DESCRIPTION AS STATED IN THE SURVEYOR'S CERTIFICATION IS THE EXISTING DESCRIPTION OF THE BARGAIN AND SALE DEED PER DEED M-2001-1281. AN "UNRECORDED" BOUNDARY LINE ADJUSTMENT AS SHOWN ON EDWARDS' SURVEY 1465-B (R5) WAS BELIEVED TO HAVE BEEN EXECUTED LEGALLY BUT NO RECORDED DEEDS WERE DISCOVERED TO COMPLETE THIS ADJUSTMENT. PARCEL 1 OF THIS PARTITION IS NOT INTENDED TO BE A RETRACEMENT OF EDWARDS SURVEY 1465-B AND THE PROPERTY LINES HAVE BEEN SURVEYED AND ESTABLISHED AS DESCRIBED BELOW.

MONUMENTS WERE SEARCHED FOR AT ALL EXTERIOR CORNERS OF THE SUBJECT PARCEL. FOUND MONUMENTS SHOWN HEREON WERE HELD FOR THE BOUNDARY OF THE SUBJECT PARCEL. THESE MONUMENTS ORIGINATE FROM RECORDED SURVEYS REFERENCED AS P, R1, R2, R3, R4, AND R5. MISSING CORNER POSITIONS ALONG THE EXTERIOR BOUNDARY OF THE SUBJECT PROPERTY WERE EITHER COMPUTED BY THE RECORD LEGAL DESCRIPTION OR FROM SURVEYS OF RECORD AS STATED BELOW.

DISCREPANCIES EXIST BETWEEN VARYING SURVEYS AS TO THE LOCATION OF THE GOVERNMENT TAKING LINE WITHIN SECTION 21, T5N, R27E ALONG THE NORTH LINE OF THE SUBJECT PROPERTY. WENGLER'S SURVEY FOR THE CORPS OF ENGINEERS (R2) REJECTS MONUMENTS SET BY HARRIS AND EDWARDS IN PREVIOUS ATTEMPTS TO MONUMENT THIS LINE (R1 & R3). I BELIEVE THAT WENGLER WAS IN ERROR TO REJECT THOSE MONUMENTS FOUND BY PREVIOUS SURVEYORS WHO ESTABLISHED THOSE MONUMENTS ALONG SAID TAKING LINE IN A GOOD FAITH EFFORT. HOWEVER, GIVEN SUBSEQUENT ACTIONS OF THE LANDOWNERS AND THE LOCATION OF THE FENCES ALONG THIS TAKING LINE WHICH APPEAR TO FOLLOW THE MONUMENTS SET PER WENGLER'S SURVEY AND NOT THOSE MONUMENTS ESTABLISHED BY EDWARDS AND HARRIS, THE TAKING LINE FOR THIS SURVEY WAS ESTABLISHED BY HOLDING THE FOUND EAST-SIXTEENTH CORNER COMMON TO SECTIONS 16 AND 21, AND AN ALUMINUM CAP SET BY WENGLER FOR THE ARMY CORP OF ENGINEERS ALONG SAID TAKING LINE PER SURVEY (R2).

THE NORTHWEST CORNER OF THE SUBJECT PROPERTY WAS ESTABLISHED BY HOLDING THE DEED DISTANCE OF 1081.07 FEET FROM THE FOUND EAST SIXTEENTH CORNER MONUMENT MARKING THE NORTHEAST CORNER OF THE SUBJECT PROPERTY.

THE WEST LINE WAS ESTABLISHED BY HOLDING THE RECORD DEFLECTION FROM THE NORTH LINE OF THE SUBJECT PROPERTY "SOUTH" TO THE RAILROAD RIGHT-OF-WAY PER DEED M-2001-1281.

THE SOUTH LINE OF THE SUBJECT PROPERTY WAS ESTABLISHED AT A 100 FOOT OFFSET FROM THE RECONSTRUCTED NORTH RIGHT-OF-WAY LINE OF THE ABANDONED RAILROAD. FOUND MONUMENTS PER (R1) AND (R4) ALONG SAID NORTH RIGHT-OF-WAY WERE HELD AS THE BOUNDARY OR USED IN COMPUTING THE UNMONUMENTED PORTIONS.

A "HIGHWAY EASEMENT AGREEMENT" MADE BETWEEN THE OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY AND THE STATE OF OREGON, SHOWN ON ODOT RIGHT-OF-WAY MAP 8B-18-20 AS RR564, WAS EXECUTED TO ALLOW THE CONSTRUCTION OF HIGHWAY 730 WITHIN THE RAILROAD RIGHT-OF-WAY ALONG WITH AN ADDITIONAL "SLOPE EASEMENT AGREEMENT" ADJACENT TO THIS HIGHWAY EASEMENT AGREEMENT. THE PORTION OF THE HIGHWAY AGREEMENT AFFECTING THE SUBJECT PROPERTY IS DESCRIBED AS AN IRREGULAR STRIP OF LAND BEING THE SOUTH 60 FEET OF THE SOUTHERLY 100 FOOT OF RAILROAD RIGHT-OF-WAY ALONG OUR PROPERTY LOCATION. THE SLOPE AGREEMENT AFFECTING THE SUBJECT PROPERTY IS DESCRIBED AS AN IRREGULAR STRIP OF LAND BEING 10 FEET IN WIDTH ADJACENT TO THE SOUTH 60 FEET FOR HIGHWAY AGREEMENT AS DESCRIBED ABOVE. A DISCREPANCY EXISTS BETWEEN OUR DEED RECORDS AND SURVEY RECORDS AS TO THE WIDTH OF THE OVERALL RAILROAD RIGHT-OF-WAY WITHIN OUR PROJECT AREA. AS STATED ABOVE THE RAILROAD AND STATE OF OREGON AGREEMENT SHOWS THAT THE RAILROAD RIGHT-OF-WAY IS 200 FEET TOTAL WITH 100 FEET ON EACH SIDE OF THE CENTERLINE. PRIVATE SURVEYS LISTED IN R1-R5 AND THE PLAT OF BIRCH LAKE ACRES AS WELL AS THE NEIGHBORING DEEDS SHOWN AND/OR STATE A TOTAL RAILROAD RIGHT-OF-WAY WIDTH OF 100 FEET WITH 50 FEET ON EACH SIDE OF CENTERLINE. THE RAILROAD RIGHT-OF-WAY AS NOW ABANDONED DOES NOT AFFECT THIS DISCREPANCY AS THE USEABLE AREA OF THESE PARCELS BEING PARTITIONED IS TO THE NORTHERLY MARGIN OF THE SLOPE EASEMENT AGREEMENT AS STATED ABOVE DUE TO STATE HIGHWAY OPERATION AND HIGHWAY FENCING ALONG SAID EASEMENT MARGIN.

THE EAST LINE OF THE SUBJECT PROPERTY WAS ESTABLISHED BY HOLDING THE EAST-SIXTEENTH CORNER AND THE SOUTHEAST CORNER OF THE PROPERTY DESCRIBED IN DEED M-2011-28442. SAID CORNER WAS MONUMENTED BY LAGIER PER SURVEY (R4). A DISCREPANCY EXISTS BETWEEN THE DESCRIPTION FOR THE EAST LINE OF THE PROPERTY DESCRIBED IN BARGAIN AND SALE DEED M-2001-1281 AND THE DESCRIPTION IN DEED M-2011-28442 FOR THE ADJACENT PROPERTY. THERE EXISTS A MISCLASURE OF OVER 64 FEET NORTH-SOUTH IN THE DISTANCE FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21 WITH THE INTERSECTION OF THE SIXTEENTH SECTION LINE AND THE ABANDONED NORTH RAILROAD RIGHT-OF-WAY LINE. REVIEW OF THE CHAIN OF TITLE FOR THESE PROPERTIES LEAD ME TO BELIEVE THAT THE INTENT IS TO HOLD THE 215 FEET EAST-WEST DIMENSIONS AND THE 295 FEET NORTH-SOUTH DIMENSIONS. REFERENCE ORIGINATION DEEDS M-11918 AND M-15268 (CORRECTED BY DEED M-17252) FOR THE PARENT PARCEL, AND DEED M-21020 FOR ORIGINATION OF NEIGHBORING PROPERTY.

THE EXISTING FENCES IN THE VICINITY OF SAID EAST LINE ARE LOCATED ±20 FEET SOUTH AND EAST OF OUR COMPUTED BOUNDARY POSITION. THE FENCES GENERALLY FOLLOW THE SHAPE OF THE DESCRIPTIONS BUT ARE NOT HELD OVER THE DESCRIPTIONS OF RECORD FOR THESE PROPERTIES.

THE NEW LINE FOR THE PARTITION BETWEEN PARCELS 1 AND 2 FOLLOWS A NORTH-SOUTH RUNNING FENCE TO A 1/2" REBAR FOUND ON THE NORTH LINE OF THE RAILROAD RIGHT-OF-WAY THENCE SOUTHEASTERLY PERPENDICULAR ACROSS THE RAILROAD RIGHT-OF-WAY TO THE NORTH LINE OF THE HIGHWAY RIGHT-OF-WAY.

NEW PROPERTY CORNER MONUMENTS HAVE BEEN SET ALONG THE NORTH LINE OF THE SLOPE EASEMENT AGREEMENT AS SHOWN HEREON DUE TO STATE HIGHWAY OPERATIONS OCCUPYING THE ENTIRE SOUTHERLY 20' OF THE SUBJECT PROPERTY.

APPROVALS

APPROVED THIS 3 DAY OF March, 2021.

APPROVED THIS 3rd DAY OF March, 2021.

APPROVED THIS 3 DAY OF March, 2021.

Matt Kemp
MORROW COUNTY SURVEYOR

Ty Mahratt
MORROW COUNTY PLANNING DIRECTOR

W. Paul D. Jones
MORROW COUNTY ASSESSOR/TAX COLLECTOR

THIS IS AN EXACT COPY OF THE ORIGINAL

SURVEYOR'S CERTIFICATE:

I, DAVID P. BAALMAN, A REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT THE PARTITION PLAT AS SHOWN IS BASED UPON ACTUAL FIELD SURVEY OF THE LAND DESCRIBED AND THAT ALL ANGLES, DISTANCES, AND COURSES ARE HEREON CORRECTLY SHOWN AND THAT THE LOT CORNERS HAVE BEEN STAKED ON THE GROUND AS SHOWN ON THE MAP IN ACCORDANCE WITH ORS CHAPTER 92 AS REVISED AND WITH THE MORROW COUNTY SUBDIVISION ORDINANCE. THE INITIAL POINT OF THIS PARTITION PLAT IS THE NORTHEAST CORNER OF THE SUBJECT PROPERTY AS MONUMENTED HEREON AND AS REFERENCED TO THE SURROUNDING CONTROLLING CORNERS. THE LANDS BEING PARTITIONED HEREBY ARE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION: (SEE BARGAIN AND SALE DEED M-2001-1281)

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, IN TOWNSHIP 5 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MORROW AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 21; THENCE WEST FOLLOWING THE NORTH LINE OF SAID SECTION 21 A DISTANCE OF 1,316.50 FEET TO A POINT THAT IS A DISTANCE OF 48.50 FEET WEST OF THE EAST LINE OF VACATED LOT 13 OF BIRCH LAKE ACRES, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 78°13' WEST A DISTANCE OF 1,081.07 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF VACATED BIRCH LAKE ACRES, THENCE SOUTH A DISTANCE OF 446.01 FEET ALONG THE WEST LINE OF SAID VACATED BIRCH LAKE ACRES TO A POINT ON THE NORTH LINE OF THE ABANDONED UNION PACIFIC RAILROAD RIGHT-OF-WAY; THENCE SOUTHEASTERLY PERPENDICULAR TO THE CENTERLINE OF THE ABANDONED UNION PACIFIC RAILROAD RIGHT-OF-WAY A DISTANCE OF 100.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF STATE HIGHWAY 74; THENCE NORTHEASTERLY ALONG THE NORTH RIGHT-OF-WAY OF STATE HIGHWAY 74 A DISTANCE OF 860.00 FEET; THENCE NORTHWESTERLY PERPENDICULAR TO THE CENTERLINE OF THE ABANDONED UNION PACIFIC RIGHT-OF-WAY CENTERLINE TO A POINT LYING SOUTHWESTERLY A DISTANCE OF 274.10 FEET FROM THE SOUTHEAST CORNER OF LOT 32 OF VACATED BIRCH LAKE ACRES; THENCE NORTH A DISTANCE OF 295.00 FEET; THENCE NORTHEASTERLY PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD A DISTANCE OF 215.00 FEET; THENCE NORTHERLY A DISTANCE OF 180.01 FEET TO THE TRUE POINT OF BEGINNING:

OWNER'S DECLARATION:

WE, KINGERY LIMITED PARTNERSHIP, AN OREGON LIMITED PARTNERSHIP, DECLARE THAT WE HAVE CAUSED SAID PLAT TO BE PREPARED IN ACCORDANCE WITH O.R.S. CHAPTER 92 AND MORROW COUNTY SUBDIVISION ORDINANCE AND HEREBY DEDICATE THOSE EASEMENTS AS SHOWN HEREON FOR THE PURPOSES STATED THEREFOR.

Gerald G. Kingery
GERALD G. KINGERY, GENERAL PARTNER
KINGERY LIMITED PARTNERSHIP

Paul D. Jones
AUTHORIZED REPRESENTATIVE
BANK OF EASTERN OREGON



ACKNOWLEDGMENT

STATE OF OREGON
COUNTY OF Umatilla S.S.

THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON (DATE) March 2, 2021
BY GERALD G. KINGERY, AS GENERAL PARTNER OF THE KINGERY LIMITED PARTNERSHIP.

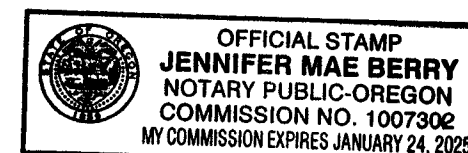
Melissa Jo Samms
NOTARY PUBLIC IN AND FOR THE STATE OF OREGON

ACKNOWLEDGMENT

STATE OF OREGON
COUNTY OF Umatilla S.S.

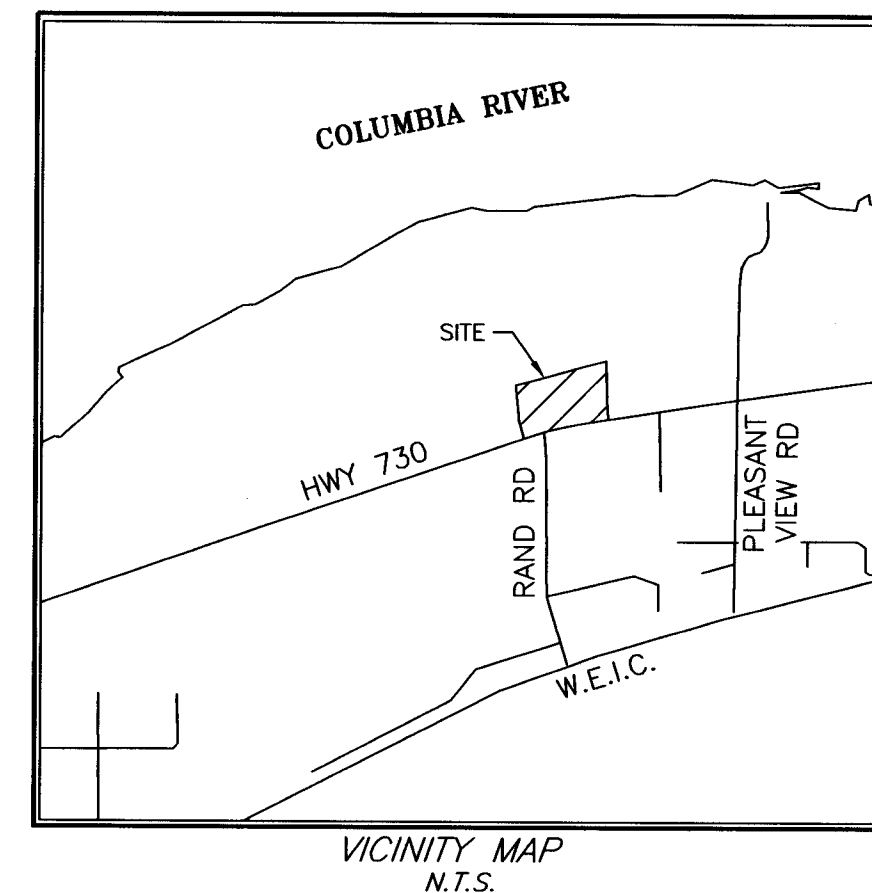
THIS RECORD WAS ACKNOWLEDGED BEFORE ME ON (DATE) March 2, 2021
BY David L. Lashrop AS THE Vice President (TITLE) OF THE BANK OF EASTERN OREGON.

Jennifer M. Berry
NOTARY PUBLIC IN AND FOR THE STATE OF OREGON



PARTITION PLAT NO. 2021-1916

A PORTION OF THE NE 1/4 OF SECTION 21,
TOWNSHIP 5 NORTH, RANGE 27 EAST, W.M.,
MORROW COUNTY, OREGON



RECEIVED BY
Morrow County Surveyor
Date: 3-9-2021
Rec'd By: MPK
No.: 2021-1916C
Folder No.: 1916

2021-48268
3/3/2021 @ 10:17AM
Mc Clark Records
\$ 466.00
REV: 3/01/21 BAG

CLIENT	GERALD KINGERY	JOB	35220
PROJECT	PARTITION PLAT PORTION OF S.21, T.5N., R.27E., W.M.	DRN. BY	MPL
SCALE	1"= 60'	F. B. NO.	BK 865
ACAD VER	- C3D19	FILE:	35220.dwg
APPROVED	DPB	DATE	11/12/2020
SHEET	2	OF	2

