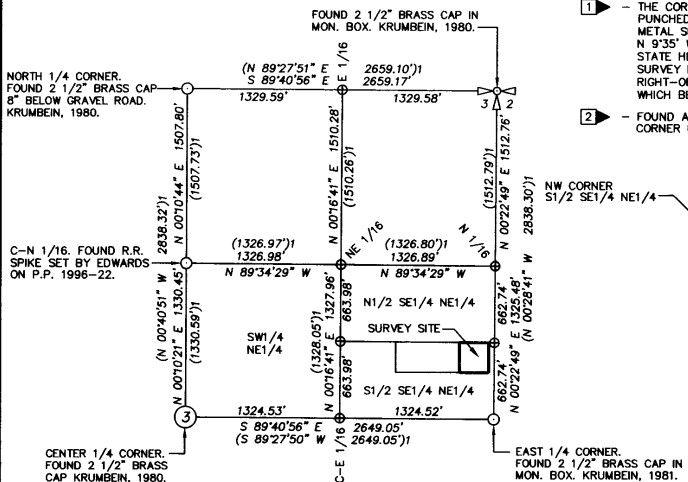


# RECORD OF SURVEY

## MONUMENT NOTES:

- 1 - THE CORNER MONUMENT POINT FALLS IN A PAVED DRIVE APRON. I SET A PUNCHED RAILROAD SPIKE STAMPED "LS 1106" AT THE CORNER POINT. A METAL SPIKE OF UNKNOWN ORIGIN BEARS S 35°55' W, 2.8', (NOT HELD).
- 2 - FOUND A 5/8" THIN WALL PIPE WHICH BEARS S 41°23' W, 3.1' FROM CORNER POINT. SHEA SURVEY NO. K-29-A. (NOT HELD).

- 3 - FOUND A 1/2" REBAR WHICH BEARS N 81°54' W, 2.4' FROM CORNER POINT. SHEA SURVEY NO. K-29-A. (NOT HELD).
- 4 - FOUND A 2" O.D. PIPE WHICH BEARS S 62°28' W, 2.5' FROM CALCULATED CORNER POINT. SHEA SURVEY NO. K-29-A. (NOT HELD).
- 5 - THE 5/8" REBAR SET BY WAGNER ON SURVEY NO. 00-46-B BEARS S 88°49' W, 9.64' FROM CALCULATED CORNER POINT. THIS REBAR APPLIES TO WAGNER'S SURVEY MADE IN THE N1/2 SE1/4 NE1/4.



**SURVEY CONTROL DIAGRAM**  
NORTHEAST QUARTER SECTION 3, T4N., R28E., W.M.  
SCALE 1 INCH = 800 FEET

## NARRATIVE

THIS SURVEY WAS MADE AT THE REQUEST OF MIKE BOEDIGHEIMER TO LOCATE AND MONUMENT THE BOUNDARY OF THAT TRACT OF LAND DESCRIBED AS PARCEL 3 OF EXHIBIT A OF WARRANTY DEED TO EVA SWAIN, TRUSTEE OF THE EVA J. SWAIN REVOCABLE TRUST, RECORDED AS INSTRUMENT NO. 2003-4520267, UMATILLA COUNTY OFFICE OF RECORDS.

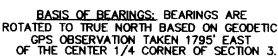
**HISTORY.** THE SURVEYED TRACT IS PART OF FARM UNIT "G", THE S1/2 SE1/4 NE1/4 OF SECTION 3, T4N., R28E., W.M. FARM UNIT "G" WAS CONVEYED TO RETTA HOGUE JOHNSON IN FEBRUARY, 1934, BY WARRANTY DEED RECORDED IN BOOK 147, PAGE 180, DEED RECORDS. IN NOVEMBER, 1935, JOHNSON CONVEYED RIGHT-OF-WAY FOR HIGHWAY TO THE STATE OF OREGON ON THE EAST SIDE OF S1/2 SE1/4 NE1/4. IN NOVEMBER, 1938, JOHNSON CONVEYED THE S1/2 SE1/4 NE1/4, LESS THE WEST 24 FEET, TO FRED DAVES. FRED DAVES CONVEYED THE PROPERTY TO WALTER N. JACKSON, ET UX, IN MARCH, 1940 BY WARRANTY DEED RECORDED IN BOOK 158, PAGE 24, DEED RECORDS. IN MARCH 1941, JACKSON, ET UX, AND W.H. BOWMAN, ET UX, RECORDED A SALES AGREEMENT IN BOOK 159, PAGE 581, DEED RECORDS, WHERE BOWMAN AGREED TO PURCHASE THE PORTION OF THE NORTH 260 FEET OF THE S1/2 SE1/4 NE1/4, EXTENDING WEST 800 FEET FROM THE STATE OF OREGON HIGHWAY RIGHT-OF-WAY. THE DESCRIPTION IN THE AGREEMENT IS BY METES AND BOUNDS, 260 FEET BY 800 FEET, AND IS SENIOR TO FUTURE CONVEYANCES MADE WEST AND SOUTH OF IT. OUR SURVEY IS LOCATED ON THE EAST SIDE OF THE SENIOR TRACT, ABUTTING THE HIGHWAY RIGHT-OF-WAY. FOR UNKNOWN REASONS, THE TRACT DESCRIBED IN THE AGREEMENT WAS FIRST CONVEYED BY WARRANTY DEED TO PENDLETON GRAIN GROWERS, INC. PENDLETON GRAIN GROWERS CONVEYED THE TRACT TO W.H. BOWMAN AND VIRGINIA BOWMAN BY BARGAIN AND SALE DEED RECORDED AT BOOK 173, PAGE 94, DEED RECORDS. VIRGINIA BOWMAN, LATER KNOWN AS VIRGINIA MITCHELL, SOLD OFF THE WEST 550 FEET OF THE TRACT. IN 1997, THE REMAINDER OF THE TRACT WAS SOLD TO EVA J. SWAIN, ET. AL. BY WARRANTY DEED RECORDED AT REEL 307, PAGE 1485, MICROFILM RECORDS.

JUNIOR/SENIOR RIGHTS MUST BE CONSIDERED IN THE S1/2 SE1/4 NE1/4 BECAUSE RECORD DEED DIMENSIONS TOTAL 660 FEET IN NORTH-SOUTH DIMENSION AND THE MEASURED DIMENSION IS 663 FEET ±. THERE IS EVIDENCE DEED DESCRIPTIONS HAVE BEEN "CHANGED" TO TOTAL THE RECORD WIDTH OF 1320 FEET IN EAST-WEST DIMENSION. THE MEASURED DIMENSION IS 1325 FEET ±.

TO MAKE THIS SURVEY, I SUBDIVIDED SECTION 3 TO DETERMINE THE BOUNDARY OF THE S1/2 SE1/4 NE1/4. I LOCATED THE WEST RIGHT-OF-WAY LINE OF THE STATE HIGHWAY FROM FOUND RIGHT-OF-WAY MONUMENTS SHOWN. I CONSULTED RECORD SURVEYS AND TIED CERTAIN MONUMENTS AS INDICATED ON THIS RECORD OF SURVEY. GARY WAGNER'S MONUMENT ON THE WEST RIGHT-OF-WAY LINE OF THE HIGHWAY, ESTABLISHED ON SURVEY NO. 00-46-B, WAS FOUND BENT BY NEW POWER POLE INSTALLATION. I STRAIGHTENED THIS MONUMENT AND HELD IT FOR A POINT ON THE NORTH LINE OF THE S1/2 SE1/4 NE1/4 AT THE HIGHWAY RIGHT-OF-WAY. I HELD THE NW CORNER OF THE S1/2 SE1/4 NE1/4 DETERMINED BY MY SECTION SUBDIVISION FOR THE OTHER END OF THE NORTH LINE OF THE S1/2 SE1/4 NE1/4. I CALCULATED THE BOUNDARY OF THE SENIOR 800 FOOT BY 260 FOOT TRACT WITH THE SOUTH LINE PARALLEL WITH THE NORTH LINE OF THE S1/2 SE1/4 NE1/4 AND THE WEST LINE PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 395. I RECOVERED SEVERAL MONUMENTS FROM SURVEY NO. K-29-A, ESTABLISHED BY AMBROSE SHEA IN 1978. I DID NOT HOLD SHEA'S MONUMENTS BECAUSE THEY WERE NOT ESTABLISHED BY PROPER JUNIOR/SENIOR TRACT RELATIONSHIPS.

IT SHOULD BE NOTED THAT IF THE DESCRIPTION CONTAINED IN MY CLIENT'S DEED WERE STAKED WITHOUT DETERMINING THE JUNIOR/SENIOR RELATIONSHIPS, THE WEST LINE OF MY CLIENT'S PROPERTY WOULD HAVE ENROACHED OVER 9 FEET ONTO NEIGHBOR'S PROPERTY TO THE WEST.

THIS SURVEY WAS MADE BY A 2 PERSON CREW USING A TRIMBLE R-8 RECEIVER CONNECTED TO THE OREGON REAL TIME NETWORK VIA CELL PHONE DATA MODEM.



SCALE: 1 INCH=100 FEET

BASIS OF BEARINGS: BEARINGS ARE ROTATED TO TRUE NORTH BASED ON GEODETIC GPS OBSERVATION TAKEN 1795' EAST OF THE CENTER 1/4 CORNER OF SECTION 3.

## EASEMENTS NOTED

- A - PERMANENT SLOPE EASEMENT GRANTED TO THE STATE OF OREGON DEPARTMENT OF TRANSPORTATION, VARYING IN WIDTH FROM 65' FROM CENTERLINE AT STA. 227+52.31 TO 50 FEET FROM CENTERLINE AT STA. 230+00. REEL 75, PAGE 859, UMATILLA COUNTY MICROFILM RECORDS.
- B - EXISTING 15' FOOT EASEMENT APPURTENANT TO TRACTS I, II AND III AS DESCRIBED IN WARRANTY DEED RECORDED AT BOOK 288, PAGE 584, UMATILLA COUNTY DEED RECORDS. THE EASEMENT IS DESCRIBED AS TRACT IV, IN SAME DEED.

THE SURVEYED PROPERTY IS SUBJECT TO A BLANKET RIGHT-OF-WAY/EASEMENT TO UMATILLA ELECTRIC COOPERATIVE, BOOK 120, PAGE 434, UMATILLA COUNTY DEED RECORDS.

## LEGEND

- - SET 5/8" BY 24" REBAR WITH RED PLASTIC CAP MARKED "OR PLS 1106, WA PLS 17372", UNLESS OTHERWISE NOTED.
- - FOUND MONUMENT AS NOTED.
- ⊙ - FOUND 5/8" REBAR FROM WAGNER SURVEY NO. 00-46-B.
- - FOUND MONUMENT AS NOTED FROM SHEA SURVEY NO. K-29-A. THESE MONUMENTS WERE NOT HELD—SEE NARRATIVE.
- ⊗ - CALCULATED POINT, NOT SET OR FOUND.
- (XOX) - RECORD DIMENSION FROM DEED DESCRIPTIONS.
- (XOX) - RECORD DIMENSION FROM WAGNER SURVEY NO. 00-46-B.
- (XOX) - RECORD DIMENSION FROM EDWARDS PARTITION PLAT NO. 1996-22.
- - EXISTING WIRE FENCE LINE.

## REFERENCE SURVEYS

1. 06-429-AX, WALLULUS, 1963.
2. K-29-A, SHEA, 1978.
3. 82-139-B, LAGER, 1982.
4. 88-24-C, RICHARDS, FOR STATE HIGHWAY, 1988.
5. PARTITION PLAT 1996-22, EDWARDS, 1996.
6. 97-249-B, EDWARDS, 1997.
7. 00-46-B, WAGNER, 2000.
8. DESERT SHADOWS REPLAT, STRATTON, BOOK 13, PAGE 70, PLAT RECORDS.
9. DESERT SHADOWS, PHASE 2, BOOK 13, PAGE 132, PLAT RECORDS.

REGISTERED PROFESSIONAL LAND SURVEYOR

*William R. Wells*

OREGON  
JULY 22, 1977  
WILLIAM R. WELLS  
1106  
RENEWS 6/30/12

WELLS SURVEYING  
2602 N.E. RIVERSIDE PLACE  
P.O. BOX 1696  
PENDLETON, OR 97801  
PHONE: (541) 276-6362

DATE: 4/11 DR. BY: DMT  
CK. BY: WRW NO: 11-1322

## PROJECT:

BOUNDARY SURVEY FOR:  
EVA J. SWAIN  
REVOCABLE TRUST

LOCATED IN THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, T4N., R28E., W.M., RANGE 28 EAST, TOWNSHIP 4 NORTH, UMATILLA COUNTY, OREGON.

Umatilla County Surveyor

Date: 5-11

Prepared By: KA

11-58-B

ENGINEER'S CENTERLINE STA. 223+52.31 P.T. FOUND 2" BRASS CAP IN CONCRETE POST.

ENGINEER'S CENTERLINE STA. 227+52.31 P.T.

400' INSIDE OFFSET CHORD WITH MEASUREMENT N 00°24'04" E 398.23'

FENCE COR. IS 24.6' N. & 8.3' E. OF S.W. COR. OF PROPERTY.

S 03°10'09" E 205.24'

S 00°15'47" E 280.00' (260'0")

EXISTING SAND DRIVE

EXISTING GRAVEL DRIVE

RIGHT-OF-WAY LINE

N 00°15'47" E HIGHWAY R/W BEARING

N 00°15'47" E HIGHWAY R/W BEARING

N 00°15'47" E HIGHWAY R/W BEARING

N 00°15'47" E HIGHWAY R/W BEARING

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N 00°15'47" E HIGHWAY R/W BEARING

THEATER LANE EAST-WEST CENTERLINE OF SECTION 3

NOTE: THE EAST LINE OF SECTION 3 AND THE CENTERLINE OF THE STATE HIGHWAY ARE NOT THE SAME LINE. AT THE EAST 1/4 CORNER, THE HIGHWAY CENTERLINE IS 2.54' EAST OF THE SECTION LINE. AT THE NE CORNER OF THE S1/2 SE1/4 NE1/4 THE HIGHWAY CENTERLINE IS 1.18' EAST OF THE SECTION LINE.

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ENGINEER'S CENTERLINE STA. 238+40.66 P.O.T. FOUND REBAR BY EDWARDS

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