

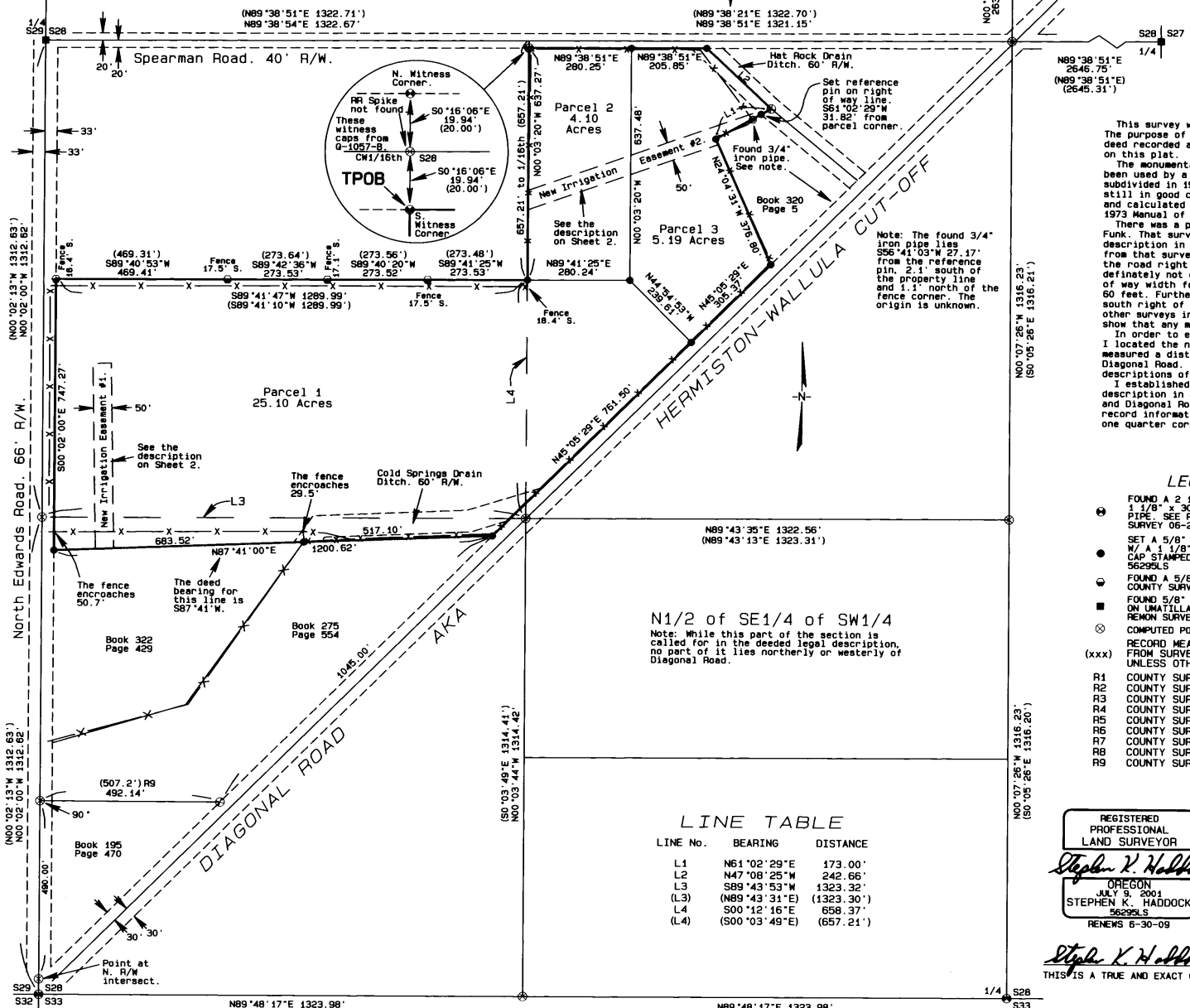
2008-27 10f2

SOUTHWEST QUARTER SECTION 28, T5N, R29E, W.M., UMATILLA COUNTY, OREGON.

PARTITION PLAT

2008-27

BASIS OF BEARINGS Bearings are based on the line from the center west 1/16th to the east 1/4 as per survey G-1057-B.



NARRATIVE OF SURVEY

This survey was performed at the request of Cecil and Nancy Swaggart. The purpose of the survey was to partition the lands identified in the deed recorded as Umatilla County instrument No. 2008-5050016 as shown on this plat. The monumentation in this section has been well established having been used by a number of surveys. This quarter section was previously subdivided in 1979 by Dave Krumbain. I found the majority of his monuments still in good condition. I held all of the monuments from that survey and calculated the subdivisional lines by the normal method as per the 1973 Manual of Instructions. There was a prior survey in this quarter section in 1964 for Delray Funk. That survey was not filed until 2006. It appears that the legal description in the deed recorded in Book 275, Page 554 was developed from that survey. In that survey the existing fence lines were held as the road right of ways. The fence line along North Edwards Road is definitely not on the right of way line. Also, in that survey, the right of way width for Diagonal Road is shown at 66 feet when it is only 60 feet. Further, that survey shows the section corner as being on the south right of way line of Diagonal Road when the highway deed and the other surveys in the area show it on the centerline. The survey does not show that any monuments were found, set, or used. In order to establish the south boundary of Parcel 1 as shown hereon I located the north boundary of the deed in Book 195, Page 470 and then measured a distance of 1045.00 feet along the north right of way of Diagonal Road. I then held the record bearing as per the recorded legal descriptions of the properties to the south of Parcel 1. I established the location of the Hat Rock Drain Ditch from the legal description in Book 320, Page 5, and ties to the culverts under Spearman and Diagonal Roads. I calculated the location of Diagonal Road using the record information given on County Survey 96-196-B and ties to the south one quarter corner and the southwest section corner of Section 28.

LEGEND

- FOUND A 2 1/4" BRASS CAP ON A 1 1/8" x 30" GALVANIZED IRON PIPE SEE PUBLIC REMON SURVEY 06-265-C
SET A 5/8" x 24" IRON REBAR W/ A 1/8" ORANGE PLASTIC CASTSTAMPED WTS AND 56295-L
FOUND A 5/8" REBAR FROM COUNTY SURVEY G-1057-B
FOUND 5/8" REBAR AS SHOWN ON UMATILLA COUNTY PUBLIC REMON SURVEY 06-265-C
COMPUTED POINT
RECORD MEASUREMENTS FROM SURVEY G-1057-B UNLESS OTHERWISE NOTED
R1 COUNTY SURVEY G-1057-B
R2 COUNTY SURVEY G-922-B
R3 COUNTY SURVEY G-147-B
R4 COUNTY SURVEY R-193-A
R5 COUNTY SURVEY 85-63-B
R6 COUNTY SURVEY 96-196-B
R7 COUNTY SURVEY 98-77-B
R8 COUNTY SURVEY 06-265-C
R9 COUNTY SURVEY 06-406-Ax

OFFICE OF COUNTY RECORDS

STATE OF OREGON, COUNTY OF UMATILLA
I certify that this instrument was received and recorded
ON November 10, 2008
at 3:48 o'clock Pm., in the record of PLATS of said County.
YEAR NUMBER Slide
2008 27
OFFICE OF COUNTY RECORDS
By: JEAN HEMPHILL, Records Officer
Fees \$ 50.00 No. 2008-5440301

N1/2 of SE1/4 of SW1/4
Note: While this part of the section is called for in the deeded legal description, no part of it lies northerly or westerly of Diagonal Road.

LINE TABLE
LINE No. BEARING DISTANCE
L1 N61°02'29"E 173.00'
L2 N47°08'25"W 242.66'
L3 S89°43'53"W 1323.32'
L4 S00°12'16"E 658.37'
(L4) (S00°03'49"E) (657.21')

REGISTERED PROFESSIONAL LAND SURVEYOR
Stephen K. Haddock
OREGON JULY 9, 2001
STEPHEN K. HADDOCK
RENEWS 6-30-09
THIS IS A TRUE AND EXACT COPY

PARTITION PLAT FOR SWAGGART ENTERPRISES, INC. 53818 BONE POINT LANE RITTER, OR 97856
LOCATION: SW 1/4, S28, T5N, R29E, W.M., UMATILLA COUNTY, OREGON
PROJECT DATE: June 9th, 2007
Project No. 06-31 SCALE: 1" = 200'
WITNESS TREE SURVEYING
Stephen K. Haddock, PLS
P.O. Box G
Pilot Rock, Oregon 97868
(541) 443-2922

Monuments Set April 9, 2008

Umatilla County Survey
Date 11-09
Rec'd by KH
08-152-B

Position calculated from Brass cap witness monument to NW and rebar bearing object to NE.

OWNERS DECLARATION

We Cecil M. Swaggart and Nancy Swaggart, members of THE SWAGGART COMPANY, LLC, owner of the lands partitioned by this plat, do hereby acknowledge that we have caused this plat to be prepared and this land partitioned in accordance with ORS Chapter 92 as revised. We do also dedicate the two new irrigation easements as shown hereon. These easements shall inure to and be subject to the rules and regulations of the Hermiston Irrigation District.

Cecil M. Swaggart - Member
Nancy Swaggart - Member

On this 7th Day of October 2008, the above named individuals appeared personally before me and are known to me to be the identical individuals who executed the plat dedication and acknowledged that they did so freely and voluntarily, as members of THE SWAGGART COMPANY, LLC.

Before me: Aracella Adams
Printed name: Aracella Adams
Notary Public for Oregon
Commission number: 406170
My commission expires: 07-15-2010

SURVEYOR'S CERTIFICATE

I, Stephen K. Haddock, a Registered professional Land Surveyor in the State of Oregon, do hereby depose and say that I have correctly surveyed and marked with legal monuments the lands partitioned hereby. In accordance with ORS Chapter 92 as revised, I do also designate the northwest corner of Parcel 2 as the True Point of Beginning for this partition and do state that said point is marked with a 2 1/2" Brass Cap on a galvanized iron pipe set as the south witness monument for the center west 1/16th corner of Section 28 under County Survey Q-1057-8.

LEGAL DESCRIPTION

A tract of land located in Section 28, Township 5 North, Range 29 East, Willamette Meridian, Umatilla County, Oregon, more particularly described as: All of that part of said Section 28 hereafter described lying Northerly and Westerly of Diagonal Road, aka Hermiston-Mallula Cut-Off, as said road was located on October 10, 1950; The South Half of the Northwest Quarter of the Southwest Quarter, the North Half of the Southeast Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, the Southwest Quarter of the Southwest Quarter. EXCEPTING THEREFROM that portion lying Northerly and Easterly of the Hat Rock Drain Ditch. ALSO EXCEPTING THEREFROM the lands conveyed to Joe G. Malloy, by Deed recorded in Book 195, Page 470, Deed Records; ALSO EXCEPTING THEREFROM the lands conveyed to Cecil Thorne, et ux, by Deed recorded in Book 275, Page 554, Deed Records; ALSO EXCEPTING THEREFROM the lands conveyed to Shannon G. McMillen, et ux, by Deed recorded in Book 320, Page 5, Deed Records; ALSO EXCEPTING THEREFROM the lands conveyed to Bill N. Barbouletts, et ux, by Deed recorded in Book 322, Page 429, Deed Records;

Excepting any and all water rights of way and roads; Subject to all easements, levies and assessments of the Hermiston Irrigation District.

REGISTERED PROFESSIONAL LAND SURVEYOR

Stephen K. Haddock
OREGON
JULY 9, 2001
STEPHEN K. HADDOCK
56295LS
RENEWS 6-30-09

THIS IS A TRUE AND EXACT COPY

APPROVALS

UMATILLA COUNTY PLANNING DIRECTOR

This plat is approved this 10 day of November 2008.

Tamra Mahott by [Signature]
COUNTY PLANNING DIRECTOR

UMATILLA COUNTY TAX COLLECTOR

Taxes are paid in full this 24 day of October 2008.

[Signature]
COUNTY TAX COLLECTOR

COUNTY SURVEYOR

I, David H. Kline, Umatilla County Surveyor, do hereby certify that I have examined the accompanying plat and that it complies with the laws of the State of Oregon with reference to the filing and recording of such plats and I hereby approve said plat for filing in the records of Umatilla County, Oregon.

[Signature]
UMATILLA COUNTY SURVEYOR

HERMISTON IRRIGATION DISTRICT

The irrigation easements as dedicated hereon are accepted and this plat is approved this

13th day of October 2008.

[Signature]
DIRECTOR
HERMISTON IRRIGATION DISTRICT

NEW IRRIGATION EASEMENT LEGAL DESCRIPTIONS

Irrigation Easement Number 1.

A strip of land, 50 feet in width, lying 25 feet on each side of the centerline of the existing irrigation structure, said strip being more particularly described as follows: Beginning at a point on the south line of Parcel 1 as shown on the face of this plat, said point lying N87°41'00"E a distance of 113.53 from the southwest corner of said Parcel 1; thence N1°11'15"W a distance of 511.43 feet; thence N88°48'45"E a distance of 50.00 feet; thence S1°11'15"E a distance of 510.45 feet to a point on the south line of said Parcel 1; thence S87°41'00"W a distance of 50.01 feet to the point of beginning.

Irrigation Easement Number 2.

A strip of land, 50 feet in width, lying 25 feet on each side of the centerline of the existing irrigation structure, said strip being more particularly described as follows: Beginning at a point on the west line of Parcel 2 as shown on the face of this plat, said point lying N0°03'20"W a distance of 193.54 from the southwest corner of said Parcel 2; thence N70°36'23"E a distance of 550.18 feet to a point on the west line of that tract of land conveyed to Shannon G. McMillen, et ux, by the Deed recorded in Book 320, Page 5 of the Umatilla County, Oregon, Deed Records; thence N24°04'31"W a distance of 16.66 feet to the northwest corner of said McMillen tract; thence N61°02'29"E a distance of 141.42 feet along the north line of said McMillen tract to its intersection with the west line of the Hat Rock Drain Ditch Right of Way; thence along said west line, N47°08'25"W a distance of 11.19 feet; thence S70°36'23"W a distance of 665.52 feet to a point on the west line of said Parcel 2; thence S0°03'20"E a distance of 52.99 feet to the point of beginning.

OFFICE OF COUNTY RECORDS

STATE OF OREGON, COUNTY OF UMATILLA }
I certify that this instrument was received and recorded
ON November 10, 2008
at 3:48 o'clock Pm, in the record of PLATS of said County.
YEAR NUMBER Slide
2008 27
OFFICE OF COUNTY RECORDS
By: JEAN HEMPHILL, Records Officer
Fees \$ 50.00 No. 2008-5440301

Sheet 2 of 2

Table with 2 columns: Project information (PROJECT DATE: June 9th, 2007; Project No. 06-31; SCALE: 1" = 200') and Witness Tree Surveying (Stephen K. Haddock, PLS; P.O. Box 6; Pilot Rock, Oregon 97868; (541) 443-2922).

PARTITION PLAT FOR SWAGGART ENTERPRISES, INC. 53818 BONE POINT LANE RITTER, OR 97856
LOCATION: SW 1/4, S28, T5N, R29E, W.M. UMATILLA COUNTY, OREGON

RECEIVED BY [Signature]
Date: 11-08
Umatilla County Surveyor
No. 08-152-B