

BOUNDARY LINE ADJUSTMENT FOR NORM MCKIBBEN AND JOHN ZERBA



BASIS OF BEARINGS

N 90°00'00" E, ASSUMED ALONG SOUTH LINE OF SECTION 33, TOWNSHIP 6 NORTH, RANGE 35 EAST OF THE WILLAMETTE MERIDIAN.

NOTES

EQUIPMENT: SOKKIA SET 4BII
5 SEC, +3MM +5PPM
METHOD: Closed Field Traverse With Radial Ties
MONUMENTS VISITED: FEB 1998

SURVEY REFERENCES

86-130-A
Q-839-AX
91-81-B
97-83-C
96-53-B
APPLE DALE SUBDIVISION
RECORDS OF UMATILLA COUNTY, OREGON

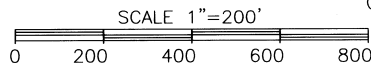
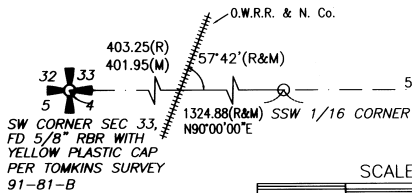
DEED REFERENCES

BOOK 328 PAGE 216
BOOK 313 PAGE 417
RECORDS OF UMATILLA COUNTY, OREGON

OWNER'S DECLARATION

I, JOHN ZERBA, OWNER OF THE LANDS SHOWN HEREIN, HEREBY AFFIRM THAT THE FOREGOING ADJUSTMENT OF THE BOUNDARY, AS SHOWN HEREIN, IS A FREE AND VOLUNTARY ACT AND DEED.

John Zerba
JOHN ZERBA
8-12-98
DATE



SURVEYOR'S NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF NORM MCKIBBEN AND JOHN ZERBA TO ADJUST THEIR COMMON BOUNDARY TO A NATURAL BLUFF AND AROUND THE EXISTING ZERBA RESIDENCE AND PROVIDE A LEGAL DESCRIPTION FOR THE NEW BOUNDARY.

THE SW CORNER OF SECTION 33 WAS FOUND PER SURVEY 91-81-B. EXISTING OCCUPATION ALONG THE SOUTH LINE OF SECTION 33 WAS IN SUBSTANTIAL AGREEMENT WITH THE LINE ESTABLISHED BY HOLDING THE RECORD ANGLE BETWEEN SAID SOUTH LINE AND THE O.W.R.R. & N. Co. AS SHOWN ON THE 1948 ROBBETT SURVEY. THE SSW 1/16 CORNER AND THE SOUTH 1/4 CORNER WERE SEARCHED BUT NOT FOUND. THE PK NAIL CALLED FOR IN SURVEY 97-83-C AS BEING 0.34' NORTH OF THE SOUTHEAST CORNER OF SECTION 33 WAS SEARCHED BUT NOT FOUND. THE RAILROAD SPIKE SET BY TOMKINS AT THE NORTHEAST CORNER OF SECTION 33 WAS FOUND AS PER SURVEY 91-81-B, EXTENDING THE LINE DEVELOPED BY HOLDING THE ROBBETT SURVEY AND THE PROPORTIONATE DISTANCE OF THE TOMKINS SURVEY'S RESULTS IN A POINT WHICH 5316.81', S 00°47'55" W OF THE NORTHEAST CORNER AND 26.05' SOUTH OF THE 97-83-C POSITION. THIS WOULD RESULT IN A PROPORTIONATE 1/4 CORNER POSITION 2658.27' NORTH OF THIS POSITION, A FAIR AGREEMENT WITH THE 2662' SHOWN IN THE APPLD ALE SUBDIVISION. RECORD DISTANCES AS SHOWN ON THE ROBBETT SURVEY WERE HELD TO ESTABLISH POSITIONS FOR THE SSW 1/16 AND SOUTH 1/4 CORNERS. RECORD LEGAL DESCRIPTION DIMENSIONS AND ANGULAR RELATIONSHIPS WERE HELD FOR THE EXISTING PARCELS EXCEPT IN THE DIMENSION TO THE RAILROAD WHERE THE LINE WAS EXTENDED TO THE RAILROAD RIGHT OF WAY.

NE CORNER SEC 33, FD RAILROAD SPIKE PER TOMKINS SURVEY 91-81-B



5316.81 N 00°47'35"E
5290.76 (91-81-B)



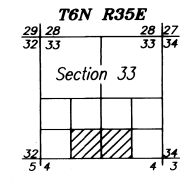
SE CORNER SECTION 33, PK NAIL PER TOMKINS SURVEY 97-83-C, NOT FD

LINE TABLE		
NO.	DISTANCE	BEARING
1	46.70	N 49°24'00"E
2	77.24	S 02°24'59"E
3	110.31	S 03°14'52"E
4	81.39	S 07°20'31"E
5	161.74	S 30°35'24"E
6	165.01	S 46°37'37"E
7	49.92	S 45°32'18"E
8	49.44	S 33°31'02"E
9	60.73	S 15°47'59"E
10	131.92	S 29°52'01"W
11	62.98	S 25°57'45"E
12	101.62	N 83°47'18"E
13	114.72	S 70°28'51"E
14	81.48	S 74°15'39"E
15	329.29	S 86°02'52"E
16	115.56	N 83°33'26"E
17	55.36	S 80°41'34"E
18	49.73	S 69°44'33"E
19	33.08	S 34°09'28"E
20	82.32	S 18°58'44"E
21	105.21	S 28°37'36"E
22	88.61	S 46°04'59"E
23	188.44	S 46°05'39"E
24	159.58	S 07°34'39"E
25	16.61	S 09°41'02"E

LEGEND

- SECTION OR SECTION SUBDIVISION LINE
- ||||| RAILROAD TRACK
- NEW PARCEL BOUNDARY
- - - ORIGINAL PARCEL BOUNDARY
- - - EASEMENT
- OVERHEAD POWERLINE
- ⊕ FOUND SURVEY MONUMENT AS DESCRIBED
- ⊕ SECTION CORNER, NOT FOUND
- ⊕ SECTION CORNER, FOUND
- ⊕ QUARTER SECTION CORNER, NOT FOUND
- ⊕ QUARTER SECTION CORNER, FOUND
- ⊕ SET 1/2" x 30" REBAR WITH BRASS WASHER STAMPED "OR 1178"
- "R" RECORD DISTANCE PER SURVEY 86-130-A
- "M" MEASURED DISTANCE

REGISTERED PROFESSIONAL LAND SURVEYOR
Joni D. DeGroot
OREGON REG. 3300
JIM D. DEER



SKYLINE SURVEYING
707 HART LANE
WALLA WALLA, WASHINGTON 99362
(509) 522-1158 Cell (509) 520-4005
DATE: AUGUST 1998 SHEET 1 OF 2

Umatilla County Surveyor
Date: 8-9-98
Rec'd By: *JK*
No. 98-1516-B

LEGAL DESCRIPTION – ZERBA REMAINDER

TRACT I:

Beginning at the point of intersection of the North and South center line of Section 33, Township 6 North, Range 35, with the Southerly line of the O. W. R. & N. Company's Railway right of way; running thence South along said center line of Section 33, 15.39 chains; thence North 62d 12' West 17.13 chains to the Southerly line of said O. W. R. & N. Company's right of way; thence in a Northeasterly direction along said right of way 16.97 chains to the point of beginning.

EXCEPTING therefrom that portion thereof conveyed to H. S. Shangle by Warranty Deed recorded in Book 77 at page 499 of the Deed Records of Umatilla County, Oregon.

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon.

ALSO EXCEPTING any and all water rights and water rights of way.

ALSO EXCEPTING therefrom the following described tract of land;

A parcel of land in the Southeast Quarter of the Southwest Quarter of Section 33, Township 6 North, Range 35 East of the Willamette Meridian, being more particularly described as follows: Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter and running thence N 90d00'00" E, along the South line of said Southeast Quarter, a distance of 581.00; Thence, N 49d24'00"E, a distance of 46.70 feet; Thence N 34d29'00"E, a distance of 399.30 feet to the Southeast corner of that parcel conveyed to H. S. Shangle by Deed recorded in Book 77 at page 382 of Deed Records of Umatilla County, Oregon;

Thence N 58d55'00"W, along the Westerly boundary of said parcel, a distance of 523.10 feet;

Thence N 62d44'00"E, a distance of 634.43 feet to the Southwesterly line of Tax Lot #900 as described in that deed recorded April 18, 1973 under Auditor's file 348371 and the True Point of Beginning for this description;

Thence N 62d12'00"W, along said Southwesterly line, a distance of 710.20 feet to the Southerly line of the Oregon-Washington Railroad & Navigation Company's right of way;

Thence N 59d48'08"E, along said right of way, a distance of 446.03 feet;

Thence, leaving said right of way, S 02d24'59"E, a distance of 77.24 feet;

Thence S 03d14'52"E, a distance of 110.31 feet;

Thence S 07d20'31"E, a distance of 81.39 feet;

Thence S 30d35'24"E, a distance of 161.74 feet;

Thence S 46d37'37"E, a distance of 165.01 feet;

Thence S 45d32'18"E, a distance of 49.92 feet;

Thence S 33d31'02"E, a distance of 14.70 feet to the Southwesterly line of the aforesaid Tax Lot 900;

Thence N 62d12'00"W, along the Southwesterly line of said Tax Lot 900, a distance of 26.21 feet to the Point of Beginning;

TRACT II:

Lots 1, 2, 6, & 7 in Appledale, situated in Section 33, Township 6 North, Range 35;

ALSO, beginning at a stone monument 1587.3 feet West of the Southeast corner of Section 33, Township 6 North, Range 35, said monument being the Southwesterly corner of Lot 12, Appledale; running thence along the South and Westerly line of Appledale, North 22d 9' West, 223.3 feet; thence North 49d 20' West, 223.3 feet; thence North 47d 12' West, 190.0 feet; thence North 23d 50' West, 205.2 feet; thence North 85d 18' West, 592.3 feet to a point on the North and South center line of said Section 33, said point being the Southwest corner of said Lot 6, Appledale; thence along the Southeasterly line of the land conveyed to H. S. Shangle by Deed recorded in Book 77 page 382 of the Deed records of Umatilla County, Oregon, South 49d 4' West, 209.8 feet; thence South 56d 5' West, 400.3 feet to the Southeast corner of said land; thence along the East line of the land conveyed to State of Oregon, by Deed recorded in Book 148 page 412 of the said Deed Records, South 34d 29' West, 399.3 feet; thence South 49d 21' West, 46.7 feet to a point on the South line of said Section 33; thence East along the South line of said Section 33, 1867.4 feet, more or less, to the point of beginning;

ALSO, beginning at a stone monument on the North and South center line of Section 33, Township 6 North, Range 35, which is North 26' East 720 feet from the South quarter corner of said Section 33, said point being the Southwest corner of Lot 6, Appledale; running thence North 62d 12' West 423 feet along the Southerly line of the land conveyed to James X. Valentine and Mary N. Valentine, his wife by Warranty Deed recorded in Book 77 at page 106 of the said Deed Records; thence leaving the said Valentine land and running South 62d 44' West, 633.8 feet, being the West line of the land conveyed to H. S. Shangle, by Deed recorded in Book 77 page 382 of the said Deed Records; thence South 58d 55' East, 523.1 feet, along the land conveyed to the State of Oregon, by Deed recorded in Book 148 at page 412 of the said Deed Records, to the West line of the land conveyed to H. S. Shangle by John McEwen and Elizabeth McEwen, his wife, by Deed recorded in Book 77 at page 135 of the said Deed records; thence North 56d 05' East, 400.3 feet along the West line of said land conveyed to H. S. Shangle; thence North 49d 04' East 209.8 feet along the said H. S. Shangle land to the point of beginning;

ALSO, beginning at the center line of Section 33, Township 6 North, Range 35, at a point 15.39 chains South of the Southerly line of the right of way of the O. W. N. & Railway; running thence North 68 feet along the West line of said Lot 6, Appledale; thence North 62d 12' West 246 feet; thence Westerly 69 feet to intersect the Southerly line of the land conveyed to James M. Valentine and Mary N. Valentine, his wife, by Warranty Deed recorded in Book 77, page 106 of the said Deed Records, to a point 312 feet Northwesterly from the place of beginning; thence Southeasterly 312 feet to the point of beginning;

ALSO, the following land to be used for road purposes; Commencing at the Northeast corner of Section 4, Township 5 North, Range 35, running thence West 1300 feet, more or less, to the foot of the bluff; thence South 20 feet; thence East 1300 feet, more or less, to a point 20 feet South of the place of beginning; thence North 20 feet to the place of beginning; EXCEPTING THEREFROM ditch or pipeline right of way along the North line of premises, described in paragraphs 2 and 3 above;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon;

ALSO EXCEPTING an easement recorded March 25, 1914 in Book 87, page 47, Deed Records;

ALSO EXCEPTING the following described parcel of land;

A parcel of land in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 33, Township 6 North, Range 35 East of the Willamette Meridian, being more particularly described as follows:

Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter and running thence N 90d00'00" E, along the South line of said Southeast Quarter, a distance of 581.00, and the Point of Beginning for this description;

Thence, N 49d24'00"E, a distance of 46.70 feet;

Thence N 34d29'00"E, a distance of 399.30 feet to the Southeast corner of that parcel conveyed to H. S. Shangle by Deed recorded in Book 77 at page 382 of Deed Records of Umatilla County, Oregon;

Thence N 58d55'00"W, along the Westerly boundary of said parcel, a distance of 523.10 feet;

Thence N 62d44'00"E, a distance of 634.43 feet to the Southwesterly line of Tax Lot #900 as described in that deed recorded April 18, 1973 under Auditor's file 348371;

Thence S 62d12'00" E, a distance of 26.21 feet;

Thence S 33d31'02"E, a distance of 34.74 feet;

Thence S 15d47'59"E, a distance of 60.73 feet;

Thence S 29d52'01"W, a distance of 131.92 feet;

Thence S 25d57'45"E, a distance of 62.98 feet;

Thence N 83d47'18"E, a distance of 101.62 feet;

Thence S 70d28'51"E, a distance of 114.72 feet;

Thence S 74d15'39"E, a distance of 81.48 feet;

Thence S 86d02'52"E, a distance of 329.29 feet;

Thence N 83d33'26"E, a distance of 115.56 feet;

Thence S 80d41'34"E, a distance of 55.36 feet;

Thence S 69d44'33"E, a distance of 49.73 feet;

Thence S 34d09'28"E, a distance of 33.08 feet;

Thence S 18d58'44"E, a distance of 82.32 feet;

Thence S 28d37'36"E, a distance of 105.21 feet;

Thence S 46d04'59"E, a distance of 88.61 feet;

Thence S 46d05'39"E, a distance of 188.44 feet;

Thence S 07d34'39"E, a distance of 159.58 feet;

Thence S 09d41'02"E, a distance of 16.61 feet, more or less to a point in the South line of said Section 33;

Thence West, along said South line, a distance of 1549.64 feet to the Point of Beginning.

EXCEPTING THEREFROM right of way for irrigation ditch 30 feet in width conveyed to Milton-Freewater & Hudson Bay Irrigation Company;

SUBJECT to any and all water right of way, covenants, and easements of record.

LEGAL DESCRIPTION – ZERBA to McKIBBEN

A parcel of land in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 33, Township 6 North, Range 35 East of the Willamette Meridian, being more particularly described as follows:

Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter and running thence N 90d00'00" E, along the South line of said Southeast Quarter, a distance of 581.00 feet to a point in the South line of said Southeast Quarter and the Point of Beginning of this description;

Thence, along said Westerly line, N 49d24'00"E, a distance of 46.70 feet;

Thence N 34d29'00"E, a distance of 399.30 feet;

Thence N 58d55'00"W, a distance of 523.10 feet;

Thence N 62d44'00"E, a distance of 634.43 feet to the Southwesterly line of Tax Lot #900 as described in that deed recorded April 18, 1973 under Auditor's file 348371 in Book 328 at page 216, Deed Records of Umatilla County Oregon;

Thence N 62d12'00"W, along said Southwesterly line, a distance of 710.20 feet to the Southerly line of the Oregon-Washington Railroad & Navigation Company's right of way;

Thence N 59d48'08"E, along said right of way, a distance of 446.03 feet;

Thence, leaving said right of way, S 02d24'59"E, a distance of 77.24 feet;

Thence S 03d14'52"E, a distance of 110.31 feet;

Thence S 07d20'31"E, a distance of 81.39 feet;

Thence S 30d35'24"E, a distance of 161.74 feet;

Thence S 46d37'37"E, a distance of 165.01 feet;

Thence S 45d32'18"E, a distance of 49.92 feet;

Thence S 33d31'02"E, a distance of 49.44 feet;

Thence S 15d47'59"E, a distance of 60.73 feet;

Thence S 29d52'01"W, a distance of 131.92 feet;

Thence S 25d57'45"E, a distance of 62.98 feet;

Thence N 83d47'18"E, a distance of 101.62 feet;

Thence S 70d28'51"E, a distance of 114.72 feet;

Thence S 74d15'39"E, a distance of 81.48 feet;

Thence S 86d02'52"E, a distance of 329.29 feet;

Thence N 83d33'26"E, a distance of 115.56 feet;

Thence S 80d41'34"E, a distance of 55.36 feet;

Thence S 69d44'33"E, a distance of 49.73 feet;

Thence S 34d09'28"E, a distance of 33.08 feet;

Thence S 18d58'44"E, a distance of 82.32 feet;

Thence S 28d37'36"E, a distance of 105.21 feet;

Thence S 46d04'59"E, a distance of 88.61 feet;

Thence S 46d05'39"E, a distance of 188.44 feet;

Thence S 07d34'39"E, a distance of 159.58 feet;

Thence S 09d41'02"E, a distance of 16.61 feet, more or less to a point in the South line of said Section 33;

Thence West, along said South line, a distance of 1549.64 feet to the Point of Beginning.

EXCEPTING, THEREFROM right of way for an irrigation ditch 30 feet in width, conveyed to Milton-Freewater & Hudson Bay Irrigation Company;

Situate in Umatilla County, State of Oregon.

Containing 22.69 acres more or less.

LEGAL DESCRIPTION – NEW McKIBBEN'S TRACT (TL-700)

PARCEL A:

A parcel of land in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section 33, Township 6 North, Range 35 East of the Willamette Meridian, being more particularly described as follows:

Commencing at the Southwest corner of said Southeast Quarter of the Southwest Quarter and running thence N 90d00'00" E, along the South line of said Southeast Quarter, a distance of 581.00 feet and the True Point of Beginning of this description;

Thence N 49d24'00"E, a distance of 46.70 feet;

Thence N 34d29'00"E, a distance of 399.30 feet;

Thence N 58d55'00"W, a distance of 523.10 feet;

Thence N 62d44'00"E, a distance of 634.43 feet to the Southwesterly line of Tax Lot #900 as described in that deed recorded April 18, 1973 under Auditor's File No. 348371 in Book 328 page 216, deed records Umatilla County, Oregon;

Thence N 62d12'00"W, along said Southwesterly line, a distance of 710.20 feet to the Southerly line of the Oregon-Washington Railroad & Navigation Company's right of way;

Thence N 59d48'08"E, along said right of way, a distance of 446.03 ft;

Thence leaving said right of way, S02d24'59"E, a distance of 77.24 ft;

Thence S 03d14'52"E, a distance of 110.31 feet;

Thence S 07d20'31"E, a distance of 81.39 feet;

Thence S 30d35'24"E, a distance of 161.74 feet;

Thence S 46d37'37"E, a distance of 165.01 feet;

Thence S 45d32'18"E, a distance of 49.92 feet;

Thence S 33d31'02"E, a distance of 49.44 feet;

Thence S 15d47'59"E, a distance of 60.73 feet;

Thence S 29d52'01"W, a distance of 131.92 feet;

Thence S 25d57'45"E, a distance of 62.98 feet;

Thence N 83d47'18"E, a distance of 101.62 feet;

Thence S 70d28'51"E, a distance of 114.72 feet;

Thence S 74d15'39"E, a distance of 81.48 feet;

Thence S 86d02'52"E, a distance of 329.29 feet;

Thence N 83d33'26"E, a distance of 115.56 feet;

Thence S 80d41'34"E, a distance of 55.36 feet;

Thence S 69d44'33"E, a distance of 49.73 feet;

Thence S 34d09'28"E, a distance of 33.08 feet;

Thence S 18d58'44"E, a distance of 82.32 feet;

Thence S 28d37'36"E, a distance of 105.21 feet;

Thence S 46d04'59"E, a distance of 88.61 feet;

Thence S 46d05'39"E, a distance of 188.44 feet;

Thence S 07d34'39"E, a distance of 159.58 feet;

Thence S 09d41'02"E, a distance of 16.61 feet, more or less to a point in the South line of said Section 33;

Thence West, along said South line, a distance of 1549.64 feet to the Point of Beginning.

EXCEPTING THEREFROM right of way for irrigation ditch 30 feet in width conveyed to Milton-Freewater & Hudson Bay Irrigation Company;

SUBJECT to any and all water right of way, covenants, and easements of record.

Containing 22.69 acres, more or less.

PARCEL B:

Southwest Quarter of Southwest Quarter lying and being South and East of O. W. R. & N. Company's right of way all in Section 33, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon;

PARCEL C:

A tract of land located in Southeast Quarter of Southwest Quarter of Section 33, Township 6 North, Range 35, described as beginning at Southwest corner of Southeast Quarter of Southwest Quarter of said Section 33; thence East 581 feet; thence North 49d 24' East 46.7 feet; thence North 34d 29' East 399.3 feet; thence North 56d25' East 400.3 feet; thence North 49d 4' East 209.8 feet to a point on the North and South centerline of said Section 33; thence North 62d 12' West 1130.6 feet to Oregon-Washington Railroad & Navigation Company's right of way; thence South 59d 48' West along right of way of said railroad 378.2 feet; thence South 1063 feet to the place of beginning;

EXCEPTING THEREFROM that tract conveyed to H. S. Shangle, described as beginning at a stone monument on North and South centerline of said Section 33, which is North 26' East 720 feet from South Quarter corner of said Section 33; thence North 61d46' West 423 feet; thence South 62d 44' West 633.8 feet; thence South 58d 55' East 523.1 feet; thence North 56d 05' East 400.3 feet; thence North 49d04' East 209.8 feet to the point of beginning;

EXCEPTING THEREFROM right of way for an irrigation ditch 30 feet in width, conveyed to Milton-Freewater & Hudson Bay Irrigation Company;

Situate in Umatilla County, State of Oregon.

RECEIVED BY

Umatilla County Surveyor

Date 8-98

Rec'd. by KK

No. 98-156B

SKYLINE SURVEYING

707 HART LANE

WALLA WALLA, WASHINGTON 99362

(509) 522-1158 Cell (509) 520-4005

DATE: AUGUST 1998 SHEET 2 OF 2