

**SURVEYORS CERTIFICATE**

I, PAUL W.P. TOMKINS, PLS No. 2360, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MONUMENTED THE BOUNDARIES OF THIS LAND SURVEY, PER THE REQUIREMENTS OF O.R.S. CHAPTER 92, REVISED, SAID BOUNDARIES DESCRIBED AS FOLLOWS:

**TRACT 1**

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 28 E.W.M., UMATILLA COUNTY, OREGON; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 3 TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE UMATILLA DAM - HERMISTON SECTION OF THE OLD OREGON TRAIL HIGHWAY AND THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SAID HIGHWAY 240.3 FEET TO THE SOUTH EAST CORNER OF THAT TRACT OF LAND CONVEYED TO JOSEPH C. BALLENGER BY DEED RECORDED IN BOOK 181, PAGE 275, DEED RECORDS; THENCE WEST AT RIGHT ANGLES FROM SAID RIGHT OF WAY LINE AND ALONG THE SOUTH LINE OF SAID BALLENGER TRACT 217.8 FEET TO THE SOUTHWEST CORNER OF SAID BALLENGER TRACT; THENCE SOUTH PARALLEL TO THE WEST RIGHT OF WAY LINE OF SAID HIGHWAY 240.3 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 3; THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION 3 A DISTANCE OF 127.8 FEET TO THE POINT OF BEGINNING;

EXCEPTING THE SOUTH 21.7 FEET THEREOF, CONVEYED TO HOWARD J. REID IN BOOK 224, PAGE 641, DEED RECORDS.  
ALSO EXCEPTING ANY PORTION LYING WITHIN U.S. HIGHWAY 395, FORMERLY KNOWN AS STATE HIGHWAY NO. 32.

**TRACT 2**

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 28 EAST, THENCE WEST ALONG THE SOUTH LINE OF SECTION 3 A DISTANCE OF 164.91 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH AND PARALLEL TO THE CENTERLINE OF UMATILLA DAM - HERMISTON SECTION OF THE OLD OREGON TRAIL HIGHWAY A DISTANCE OF 120.00 FEET; THENCE WEST AT RIGHT ANGLES FROM SAID CENTER LINE 95.00 FEET; THENCE SOUTH AND PARALLEL TO SAID CENTER LINE A DISTANCE OF 120.00 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 3; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID SECTION 3 A DISTANCE OF 95.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THE SOUTH 33 FEET THEREOF WHICH LIES WITHIN THE RIGHT OF WAY OF COUNTY ROAD NO. 611.  
ALL BEING EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF UMATILLA AND STATE OF OREGON.  
ALSO EXCEPTING ANY AND ALL ROADS AND WATER RIGHTS OF WAY.

**TRACT 3**

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 28 EAST, THENCE WEST ALONG THE SOUTH LINE OF SECTION 3 TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE UMATILLA DAM - HERMISTON SECTION OF THE OLD OREGON TRAIL HIGHWAY AND THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH ALONG THE WEST RIGHT OF WAY LINE OF SAID HIGHWAY 120 FEET; THENCE WEST AT RIGHT ANGLES FROM SAID RIGHT OF WAY LINE 120 FEET TO A POINT ON THE SOUTH LINE OF SECTION 3; THENCE EAST ALONG THE SOUTH LINE OF SECTION 3, 217.8 FEET TO THE POINT OF BEGINNING.

EXCEPTING THE SOUTH 33 FEET THEREOF WHICH LIES WITHIN THE RIGHT OF WAY OF COUNTY ROAD NO. 611.  
EXCEPTING THEREFROM THAT TRACT CONVEYED TO MAYNARD E. CASTEEL BY DEED DATED APRIL 30, 1963 RECORDED MAY 7, 1963 IN BOOK 271, PAGE 572;  
ALSO EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON, DEPT. OF TRANSPORTATION, HIGHWAY DIVISION BY DEED RECORDED OCTOBER, 18, 1996 IN MICROFILM R-299, PAGE 813, OFFICE OF COUNTY RECORDS, UMATILLA COUNTY, OREGON.  
ALL BEING EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF UMATILLA AND THE STATE OF OREGON.  
ALSO EXCEPTING ANY AND ALL ROAD RIGHTS OF WAY.

PAUL W.P. TOMKINS, PLS 2360 DATE 10/25/00

**LEGEND**

- — — — — PROPERTY BOUNDARY
- — — — — DEED TRACT BOUNDARY
- — — — — RIGHT OF WAY MARGIN
- — — — — CENTERLINE
- — — — — SECTION OR SECTION SUBDIVISION LINE
- — — — — EXISTING GROUND CONTOUR LINE
- — — — — CURB AND GUTTER WITH GUTTER ELEVATION
- — — — — WATER METER AND WATER LINE
- — — — — TELEPHONE LINE AND PEDESTAL
- — — — — POWER POLE
- — — — — SANITARY SEWER MANHOLE
- — — — — TELEPHONE LINE MANHOLE
- — — — — FOUND SURVEY MONUMENT AS DESCRIBED
- — — — — FOUND 5/8"x30" REBAR WITH PLASTIC YELLOW CAP STAMPED "TOMKINS SURVEYING", ATTACHED PER SURVEY 9948 B.
- — — — — SET 5/8"x30" REBAR WITH PLASTIC YELLOW CAP STAMPED "TOMKINS SURVEYING", ATTACHED PER SURVEY 9948 B.
- ( ) RECORD DIMENSION

2" ALUMINUM CAP MONUMENT IN CASE AT THE S.W. CORNER OF SEC. 3 (11TH AND ELM) PER SURVEY 97-238-B.

2" BRASS CAP BY L.S. 934 IN VALVE CASE WITH BROKEN LID AT THE S.W. CORNER OF THE S.E. 1/4 OF SECTION 3.

BASIS OF BEARINGS  
S 89°46'37" E  
2640.87'

**CITY OF HERMISTON BOUNDARY LINE ADJUSTMENT**

LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 3, TWP. 4 NORTH, RGE. 28 EAST, W.M. CITY OF HERMISTON, UMATILLA COUNTY, OREGON

**REVISED LEGAL DESCRIPTION: PARCEL 1**

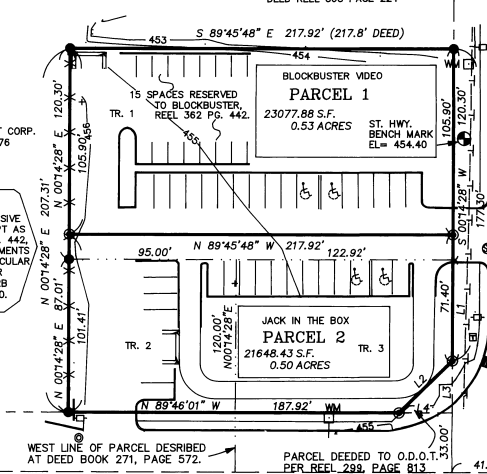
A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TWP. 4 NORTH, RGE. 28 EAST, W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON, BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3;  
THENCE NORTH 89°46'01" WEST FOR A DISTANCE OF 41.99 FT., ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 3 TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF HIGHWAY NO. 395;  
THENCE NORTH 00°14'28" EAST, FOR A DISTANCE OF 63.00 FEET ALONG SAID SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE TO THE MOST NORTHERLY CORNER OF THAT TRIANGULAR PARCEL DEEDED TO THE OREGON DEPT. OF TRANSPORTATION BY DEED RECORDED AT REEL 299, PAGE 813, UMATILLA CO. DEED RECORDS, SAID CORNER BEING THE TRUE POINT OF BEGINNING;  
THENCE NORTH 00°14'28" EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 71.40 FEET;  
THENCE NORTH 89°45'48" WEST, PARALLEL TO THE SOUTH LINE OF THAT PARCEL CONVEYED TO JOSEPH BALLENGER BY DEED RECORDED IN BOOK 181 AT PAGE 275, A DISTANCE OF 217.92 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN DEED BOOK 280 AT PAGE 676;  
THENCE SOUTH 00°14'28" WEST, ALONG SAID EAST LINE, A DISTANCE OF 101.41 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF WEST ELM STREET IN THE CITY OF HERMISTON;  
THENCE SOUTH 89°46'01" EAST FOR ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 187.92 FEET TO THE MOST WESTERLY CORNER OF THE TRIANGULAR PARCEL DEEDED TO THE OREGON DEPT. OF TRANSPORTATION;  
THENCE NORTH 45°14'13" EAST, ALONG THE NORTHWESTERLY LINE OF SAID TRIANGULAR PARCEL, A DISTANCE OF 42.43 FT. TO THE TRUE POINT OF BEGINNING.

**REVISED LEGAL DESCRIPTION: PARCEL 2**

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TWP. 4 NORTH, RGE. 28 EAST, W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON, BEING DESCRIBED MORE PARTICULARLY AS FOLLOWS:  
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST 1/4 OF SAID SECTION 3;  
THENCE NORTH 89°46'01" WEST FOR A DISTANCE OF 41.99 FT., ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4 OF SECTION 3 TO THE INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE OF HIGHWAY NO. 395;  
THENCE NORTH 00°14'28" EAST, FOR A DISTANCE OF 63.00 FEET ALONG SAID SOUTHERLY EXTENSION OF THE WEST RIGHT OF WAY LINE TO THE MOST NORTHERLY CORNER OF THAT TRIANGULAR PARCEL DEEDED TO THE OREGON DEPT. OF TRANSPORTATION BY DEED RECORDED AT REEL 299, PAGE 813, UMATILLA CO. DEED RECORDS;  
THENCE CONTINUING NORTH 00°14'28" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 71.40 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 00°14'28" EAST ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 105.90 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL CONVEYED TO JOSEPH BALLENGER BY DEED RECORDED IN BOOK 181 AT PAGE 275, UMATILLA COUNTY DEED RECORDS;  
THENCE NORTH 89°45'48" WEST ALONG THE SOUTH LINE OF SAID BALLENGER TRACT, A DISTANCE OF 217.92 FEET TO THE SOUTHWEST CORNER THEREOF;  
THENCE SOUTH 00°14'28" WEST ALONG THE EAST LINE OF THAT PARCEL DESCRIBED IN DEED BOOK 280, PAGE 676, A DISTANCE OF 105.90 FEET;  
THENCE SOUTH 89°45'48" EAST A DISTANCE OF 217.92 FEET TO THE TRUE POINT OF BEGINNING.

HERMISTON DEVELOPMENT CORP. DEED BOOK 280 PAGE 676

TRACTS 1, 2, AND 3 ARE SUBJECT TO A NON-EXCLUSIVE PARKING EASEMENT (EXCEPT AS NOTED), PER REEL 362 PG. 442, AND NON-EXCLUSIVE EASEMENTS FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS OVER ALL DRIVE LANES AND CURB CUTS PER REEL 361 PG. 40.



BRASS CAP IN MONUMENT CASE, RESET FROM TIES TO R.R. SPIKE AT HWY. STATION 250+00, PER SURVEY 88-24-C.

SCALE: 1"=50 FEET



VERTICAL DATUM OREGON STATE HIGHWAY

**LINE TABLE**

NO.	BEARING	DISTANCE
L1	S 00°14'28" W	57.00'
L2	S 45°14'13" W	42.43'
L3	S 00°14'28" W	30.00'
L4	N 89°46'01" W	30.00'

**BASIS OF BEARINGS**

THE BASIS OF BEARINGS FOR THIS SURVEY IS S 89°46'37" E ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 10, TWP. 4 NORTH, RGE. 28 EAST, W.M. AS SHOWN ON SURVEY 97-238-B.

**NARRATIVE**

THIS SURVEY WAS PERFORMED AT THE REQUEST OF NO BULL - HERMISTON LLC, TO RECONFIGURE LOT LINES IN LAND PREVIOUSLY SURVEYED BY THIS FIRM, FILED WITH THE UMATILLA COUNTY SURVEYOR, REFERENCE NO. 9948. PROPERTY CORNERS SHOWN AS FOUND WERE USED TO ESTABLISH CONTROL, AND OFF SITE MONUMENTS WERE NOT VISITED AT THIS TIME. THIS SURVEY WAS PERFORMED USING A SOKKIA AUTOMATIC TOTAL STATION HAVING STANDARD ERRORS OF 0"00.3" AND 3MM ± 3PPM.

**RECORD EASEMENTS APPURTENANT TO PROPERTY**

BLANKET EASEMENTS BENEFITTING UMATILLA ELECTRIC COOP. ASSN., BOOK 120 PG. 458, BOOK 120 PG. 532, AND BOOK 160 PG. 587.  
BLANKET EROSION CONTROL EASEMENT BENEFITTING U.S. OF A., BOOK 160 PG. 85.  
PARKING EASEMENTS, SEE BELOW.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 26, 1988 PAUL W.P. TOMKINS 2360 RENEWS 6/30/2002 10/25/00

RECEIVED BY Umatilla County Surveyor Date 10/20/00 By [Signature] 009234-B

A SURVEY LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M., CITY OF HERMISTON, OREGON UMATILLA COUNTY, OREGON

FOR: NO- BULL HERMISTON LLC 2333 CARILLON POINT KIRKLAND, WA. 98033-7353

TOMKINS LAND SURVEYING, INC. 115 WEST HERMISTON AV. SUITE 140 HERMISTON, OR. 97838 (541) 564-4448  
20 EAST POPLAR ST. SUITE 204 WALLA WALLA, WA. 99362 (509) 522-4843 HERMBLA.DWG  
DATE OCT., 2000 SCALE 1" = 50'