

**BOUNDARY AGREEMENT SURVEY IN
The SW 1/4 of the SE 1/4
of Section 8, T1S, R32E, W.M.,
Umatilla County, Oregon.**

NARRATIVE OF SURVEY

This survey was performed at the request of Mr. Jim Hatley. The purpose of the survey was to describe and monument the agreed upon boundary line between Tax Lot 1200 and Tax Lots 300 and 302.

The east boundary of Tax Lot 300 is supposed to be the 1/16th line. However, Section 8 has never been legally subdivided and the line that has been used as the 1/16th line was established by Wayne Harris in 1960 by holding a fence corner for the SE 1/16th corner of the section. The fence corner is approximately 36 feet from the true 1/16th corner location but by its long use and acceptance by all of the adjoining lands it has become the corner of local control and I have held it as such.

County Road 672 was relocated and renumbered to Road 908A in 1934. The new right of way was deeded to Umatilla County by the deeds recorded in Book 146, Pages 10 and 11. There have been four surveys in this section which reported to monument the road location but none of those surveys used the deeded description nor do they agree with each other as to the location of the right of way.

A second attempt was made to relocate the road through the SW 1/4 of the SE 1/4 of Section 8 in 1976. A new alignment was surveyed and monumented under the old road number of 672. The adjoining land owners exchanged deeds with descriptions based on the survey of the proposed road. The 1976 survey did not use the description from the 1934 Right of Way deed. There was also no road structure at the location that the survey called the "existing road". The new alignment was never legally established and the resultant gaps and overlaps in the legal descriptions are as shown in the "Title Notes" on this map.

LEGAL DESCRIPTION

The description below is of the agreed upon line between the Cook and Hatley properties:

Commencing at the southeast corner of the southwest quarter of the southeast quarter of Section 8, Township 1 South, Range 32 East, Willamette Meridian, Umatilla County, Oregon; thence north along the east line of said southwest quarter of the southeast quarter a distance of 710.90 feet to the true point of beginning for this line: Thence South 62°15'43" West a distance of 726.76 feet; thence South 60°36'09" West a distance of 81.26 feet; thence South 58°51'43" West a distance of 272.87 feet; thence South 56°10'39" West a distance of 199.13 feet; thence South 49°16'56" West a distance of 50.95 feet; thence South 0°34'49" West a distance of 35.94 feet to a point on the south line of said Section 8 which lies South 89°25'11" East a distance of 159.50 feet from the south One Quarter corner of said Section 8, said point being the terminus of this line.

LEGEND

- ⊙ FOUND BRASS CAP OF RECORD
- SET 5/8"x24" IRON REBAR WITH AN ORANGE PLASTIC CAP STAMPED WTS AND 56295LS
- FOUND 5/8" IRON REBAR FROM PARTITION PLAT 1999-44 AND 2000-39.
- COMPUTED POINT
- R1 COUNTY SURVEY N-55-B
- R2 COUNTY SURVEY Q-848-B
- R3 COUNTY SURVEY 99-160-B
- R4 COUNTY SURVEY 00-175-B
- R5 COUNTY SURVEY 03-265-C
- R6 COUNTY SURVEY 04-070-B

LINE TABLE

LINE No.	BEARING	DISTANCE
L1	S60°36'09"W	81.26'
L2	S62°15'43"W	11.50'
L3	S60°36'09"W	26.69'
L4	S49°16'56"W	50.95'
L5	S00°34'49"W	35.94'

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

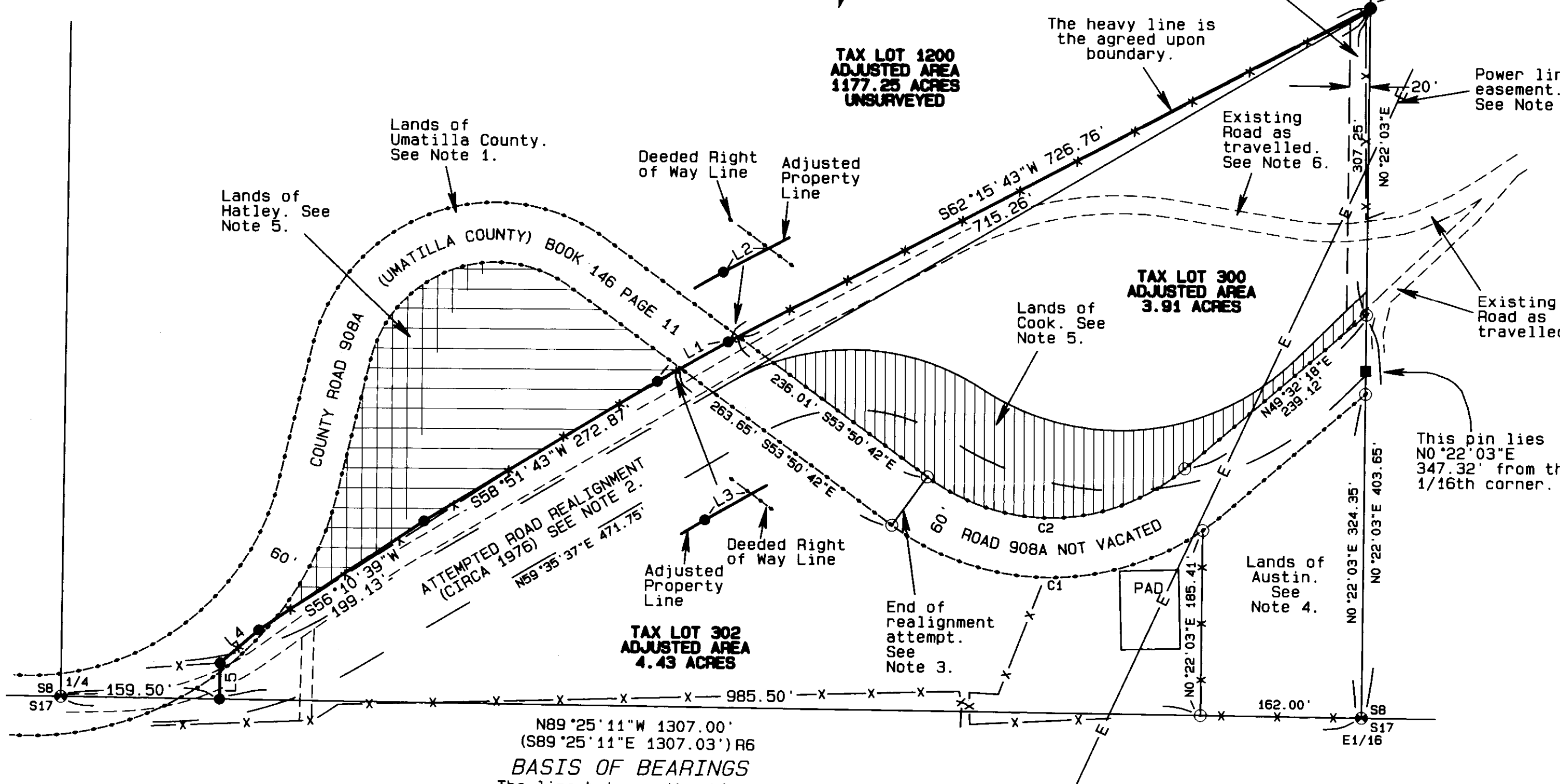
BOUNDARY AGREEMENT SURVEY FOR
Mr. Jim Hatley
P.O. Box 458
Pilot Rock, OR 97868

LOCATION: SW1/4, SE1/4, S8, T1S, R32E, W.M., UMATILLA COUNTY, OREGON

PROJECT DATE: July 6th, 2007

Project No. 07-16 SCALE: 1" = 100'

WITNESS TREE SURVEYING
Stephen K. Haddock, PLS
P.O. Box 6
Pilot Rock, Oregon 97868
(541) 443-2922



N89°25'11"W 1307.00'
(S89°25'11"E 1307.03') R6
BASIS OF BEARINGS
The line between the 1/16th and 1/4 corners as per survey 04-070-B.

TITLE NOTES

- NOTE 1**
County Road 672 was relocated and renamed in 1934. The new road was named Road 908A and was established by deed. The deed is recorded in Book 146, Page 11. A portion of that alignment was supposed to be relocated in 1976. The relocation order, recorded in Microfilm Reel 509, Page 157 of the County Deed Records, contained no statement about the disposition of the underlying fee title. Therefore, by ORS 368.366 1 (a), the title still vests in the County.
- NOTE 2**
The road realignment order recorded in Microfilm Reel 509, Page 157, has the legal descriptions reversed and so, it opens the old road and vacates the new alignment. A letter to my office from the Umatilla County Counsel confirms this fact and concludes that the order was of no effect. Therefore, the road called "672" in the Hatley and Cook deeds is the 1934 deeded alignment.
- NOTE 3**
The road realignment was only to affect that part of the deeded right of way lying west of this line. The deeded alignment lying east of this line was not included in the 1976 realignment attempt.
- NOTE 4**
The distances used in the description for the Austin property would encroach across the deeded road right of way of Road 908A. However, the deed excepts any portion lying within the County Road which would be all land north of the south line of deeded Road 908A.
- NOTE 5**
COOK PROPERTY:
The road realignment requested in 1976 was accompanied by an exchange of land between adjoining owners. In that exchange the area between the north right of way line of Road 908A and the north line of "Existing County Road 672" as shown on survey 03-265-C was omitted from the legal descriptions. The omitted land, indicated by the vertical hashures, is still a part of the lands conveyed to the Cooks by the deed recorded in Microfilm Reel 271, Page 1292.
HATLEY PROPERTY:
The deed from Britt to Reeser recorded in Reel 16, Page 756, recorded in 1977, conveyed the area shown by the horizontal hashures to the Reesers. However, the current deed to the Hatleys creates color of title to that portion of land by conveying it to the Hatleys. The land shown by the double hashures was never conveyed to the Reesers and is now entirely included in the Hatley property description.
- NOTE 6**
The "as travelled" road structure is not in any right of way that has been legally established for either road 672 or 908A.
- NOTE 7**
The deed recorded in Microfilm Reel 16, Page 759 shows that a 20' ingress egress easement was retained for access to the lands to the north. There is no structure visible on that easement at this time.
- NOTE 8**
The power line right of way deed in Book 221, Page 353 gives no right of way width for this power line.

CURVE TABLE

CURVE No.	ARC	DELTA	RADIUS	CHORD	BEARING
C1	333.56'	71°07'05"	268.73'	312.55'	S89°24'15"E
C2	279.12'	76°37'00"	208.73'	258.78'	S87°50'48"W

RECEIVED BY
Umatilla County Surveyor
Date: 10-08
Rec'd By: KK
No.: 08-139-B