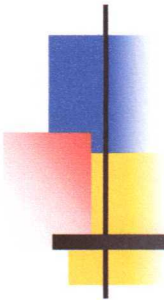


VACATION OF A PORTION OF OLD COUNTY ROAD NO. 709



ROAD REPORT

MAY, 2012

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Old Road No. 709 – Vacation Report

History

Road No. 709 was ordered opened by the Umatilla County Court in June, 1911. It began at a point on the line between Sections 15 and 16, approximately 250 feet south of what is now Highway 730, and then ran on a series of bearings and distances (see attached drawing) to a point on the section line approximately 1100 feet north of what is now Highway 730. Total length of the road was about ½ mile.

On October 20, 1947 a portion of Road No. 709 (along with several other roads in the area) was vacated. This included everything north and east of the point where it crossed from Section 16 into Section 15. On September 7, 1948 the portion of the road lying south of Highway 730 was vacated. The only portion of the road left intact was that portion lying north of Highway 730 and west of the east line of Section 16, though recent surveys show this portion being vacated as well based on information obtained from title reports. The document the title company has is one of the vacation orders attached to this report and does not mention anything about the road in question.

Ownerships and Zoning

Tracts “A”, “B”, and “C” on the attached drawing are owned by Laura L. Buck Nielsen and Cephas S. D. Buck and are being purchased under contract by Stuart Bonney. They are currently zoned General Commercial, though a zone change is being requested to re-zone Tract “B” to residential. Parcels 1, 2, and 3 of Partition Plat No. 2001-48 are owned by Kenneth and Linda Moon and are zoned City Residential. The remainder of the property abutting the road is owned by the United States (B. L. M.).

General

Until recently, the road right-of-way in question was considered to have been vacated and was assumed to be (and used as) private property. Neither the 1914 Standard Atlas or the 1932 Metsker’s Atlas show the road (though it appears property lines were described to the road), indicating it was never an important part of the transportation system. It is also possible that the 1947 order vacating a portion of the road is in error and the intent may have been to vacate everything north of Highway 730.

The right-of-way is not needed for access into any of the existing tax lots. Parcels 1, 2, and 3 of Partition Plat No. 2001-48 have access from Scaplehorn Road (County Road No. 1286). Tracts “A”, “B”, and “C” as shown on the attached drawing and Boundary Adjustment Survey No. 12-14-C filed in the Umatilla County Surveyor’s Office have access via Bucks Lane (new Easement #1 on the survey map and recorded on Document #2012-5880111, Exhibit A, Pages 2 and 3 of 4) and apparently across the federally-owned property to the west of Tracts “A”, “B”, and “C” by a reservation in a deed recorded at Book 214, Page 585 from the grantors to the United States which states “...reserving, however, unto the Grantors, their heirs and assigns, the right to use the land described above as Parcel MC-D-18 for all purposes not inconsistent with the use to be made of said land by the United States for transmission line purposes; said right shall be appurtenant to and run with that parcel of land immediately east of and adjoining said parcel MC-D-18 and lying north of State Highway No. 2, east and south of County Road No. 709, and west of the east line of Section 16”. Both the access point where Bucks

Lane enters Highway 730 and the access point where a 10-foot wide gravel road through the federally-owned property enters Highway 730 were approved by the Oregon Department of Transportation in 2011.

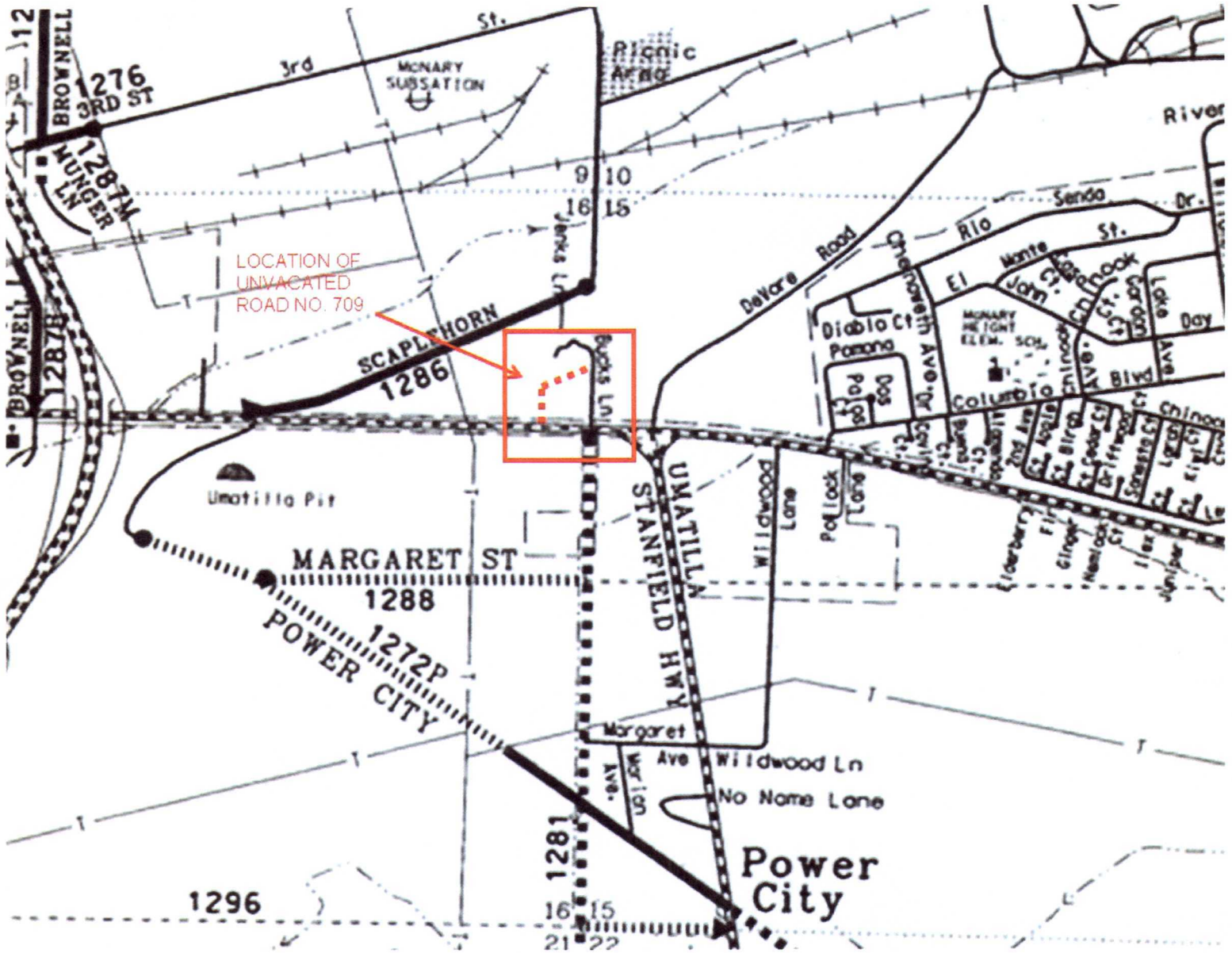
Statutes

A resolution was adopted by the Umatilla County Board of Commissioners on April 4, 2012 initiating the vacation of the road pursuant to ORS 368.341(1)(a). On April 13, 2012 notice was served to all owners of property abutting the proposed vacation by sending notices of the hearing on the proposed vacation by certified mail pursuant to ORS 368.406. On April 12, 2012 notice of the hearing on the proposed vacation was posted, pursuant to ORS 368.411, on a fence post adjacent to Scaplehorn Road, on a bulletin board in the Umatilla City Hall, and on a bulletin board in the Umatilla County Courthouse. Pursuant to ORS 368.416, notice of the hearing on the proposed vacation was published in the East Oregonian on April 25, 2012 and May 9, 2012.

ORS 368.346(1)(b) requires that an assessment by the county road official of whether the vacation would be in the public interest be given. Approximately 0.35 acre of the road proposed to be vacated is currently being taxed as private property due to the assumption that it had already been vacated. The benefit to the public of vacating the road would be for the 0.35 acre to continue to be taxed; if it was not vacated, it would be removed from the tax rolls.

Recommendation

Because of the reason stated above and because the right-of-way is not needed for the county road system, the Public Works Department recommends that the portion of Old County Road No. 709 as shown on the attached drawings and as described in the final order be vacated.



Field Notes of County Road No. 705.

I Commence at the $\frac{1}{4}$ Sec corner on the north side of Sec 3, T 4 N R 28 E W M. At a point 30 ft. S & 30 ft W of aforesaid point I set a post 4 ft long 4 ins square, marked R 705; dug pits 18 x 18 x 12 ins, S & W of post, and raised mound of earth, 18 ins high 4 ft base around post. Thence following subdivisional section line south 6.00 chains irrigation canal 20 lks wide, course W 43.30 chains drainage canal 25 lks wide, course W 53.20 chs. irrigation ditch 5 lks wide, course E 64.50 chs O R & N Co's railway track. 72.41 chs irrigation ditch 5 lks wide 80.00 chs to a point from which I set to the right 30 ft distant a post 4 ft long 4 ins square marked 1 M dug pits 18x18x12 ins, N & S of post, and raised mound of earth 18 ins high, 6 ft base around post.

97.30 irrigation ditch 15 lks wide course east 103.13 chs to the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec 10 in said township and range where I set a post 4 ft long 4 ins square marked R T 705 dug pits E & W of post, and raised mound of earth, 18 ins high 4 ft base, around post.

I hereby certify that the foregoing field notes of County Road no 705 are correct as surveyed by me on the 19th day of May, 1911.

Geary Kimbrell

Surveyor of Umatilla County, Oregon.

REPORT OF BOARD OF COUNTY ROAD VIEWERS

In the Matter of veiwng)
surveying and laying out) Road No 705.
County Road No. 705)

To the Honorable County Court of the State of Oregon for Umatilla County.

We, the undersigned, Board of County Road Viewers, heretofore instructed to view, survey and locate Road No. 705 submit the following report:

Pursuant to an order of the Honorable County Court, we met at the commencement point of said road on the 19th day of May, 1911. We called to our aid

W J Stockman Chairman

L C Rothrock Chairman

Geary Kimbrell Marker

who were by the Surveyor each duly sworn. We viewed, surveyed and located said road no. 705, as specified in our order. We find said route practicable and would most respectfully

recommend that the same be declared and established as a public highway of Umatilla County, Oregon as follows; Beginning at the commencement point of said road and ending at a present county road, the S E corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 3 T 4 N R 28 E W M.

The cost of construction will be one bridge with concrete abutments \$50.00

The damage to be sustained by property owners, by reason of the location and establishment of said road will be nothing.

Geary Kimbrell

W J Stockman

L C Rothrock

Board of County

Road viewers of

Umatilla County

State of Oregon.

Field Notes of County Road No. 709

I commence at a point of the east line of sec 16 T 5 N R 28 E W M, 674.05 ft north of the $\frac{1}{4}$ Section corner between sec 15 & 16 in said township and range. At a point 33 ft east of aforesaid point, I set a post 4 ft long 4 ins square, marked R 709; dug pits 18x18x12 ins, N & S of post and raised mound of earth 18 ins high 4 ft base around post. Thence S 88° 18' W 444.3 ft to angle 1

" North	516	" "	" "	2.
" N 17° 26' E	100	" "	" "	3
" N. 44° 23' E	150	" "	" "	4
" N. 56° 20' E	925	" "	" "	5
" S. 84° 04' W	233	" "	" "	6
" N. 78° 05' W	106	" "	" "	7
" N 30° 30' W	110	" "	" "	8
" North	8	" "	" "	9

a point on the section line, angle 5
of section 15 where I set 33 ft E a post 4 ft long, 4 ins square, marked R T 709; dug pits N & S of post, and raised mound of earth, 18 ins high 4 ft base, around post.

I hereby certify that the foregoing field notes of County Road No 709 are correct according to survey made by me, and commenced on the 23 day of May, 1911.

Geary Kimbrell

Surveyor for Umatilla County, Oregon.

Report of Board of County Road Viewers) In the Matter of viewing and laying out County Road No 709.

To the Honorable County Court of the State of Oregon for Umatilla County. We, the undersigned Board of County Road Viewers, heretofore instructed to view, survey, and locate road No 709, submit the following report:

Pursuant to an order of the Honorable County Court, we met at the commencement point of said road on the 22th day of May, 1911. We called to our aid

- W J Stockman Chairman
Mr Dishon Chairman
L C Rothrock Plagman
Geary Kimbrell Marker

who were by the Surveyor each duly sworn. We viewed, surveyed, and located said road No 709, as specified in our order, we find said route practicable and would most respectfully recommend the same to be declared and established as a public highway of Umatilla County, Oregon.

The cost of construction will be nothing.

The damage to be sustained by property owners, by reason of the location and establishment of said road will be nothing.

Geary Kimbrell Board of County
W J Stockman Road viewers of
L C Rothrock Umatilla County
State of Oregon.

Field Notes of County Road No. 710.

I Commence at the 1/4 Sec corner between secs 27 and 24 T 5 N R 26 E W, at a point 22 ft. north and 20 ft east of aforesaid point I set a post, 4 ft long 4 ins square marked R 710; dug pits 18x18x12 ins N & E of post, and raised mound of earth 18 ins high 4 ft base, around post. Thence following the subdivisional section line north 1.92 chs to angle 1

Thence N 41° 20' W 51.42 chs to irrigation ditch 7 lks wide

Thence N 41° 20' W 1.50 chs to angle 2

Thence N 11° 32' E 0.72 chs to angle 3

thence north 0.90 chs to irrigation ditch 15 lks wide

thence north 3.90 chs to angle 4

thence N 14° 29' W 17.10 chs to angle 5

thence N 28/ 3' W 2.75 chs to a point from which I set, to the left, 20 ft; distant a post 4 ft long 4 ins square marked 1 M dug pits 18x18x12 ins N & E of post, and raised mound of earth, 18 ins high 4 ft base around post.

Thence N 28° 3' W 6.30 chs to angle 6

Thence N 73° 45' W 3.14 chs to angle 7

thence N 65° 7' W 3.17 chs to angle 8

thence N 8° 6' 2' W 2.68 chs to angle 9

Thence N 71° 2' W 2.92 chs to angle 10

thence S 74° 5' W 1.76 chs to angle 11

Thence N 71° 54' W 3.81 chs to angle 12

thence N 87° 2' W 4.45 chs to angle 13

thence N 61° 27' W 8.27 chs to the line between Secs 21 & 28 in said township and range. Thence following said section line west to the 1/4 Sec corner between secs 21 & 28 from which I set 20 ft N a post 4 ft long 4 ins square marked R F 710; dug pits N & W of post, and raised mound of earth 18 ins high 4 ft base around post.

I hereby certify that the foregoing field notes of County Road No 710 are correct according to survey made by me, commenced on the 23rd day of May, 1911.

Geary Kimbrell
Surveyor for Umatilla County, Oregon.

Report of Board of County Road Viewers.) In the Matter of viewing, surveying and laying out road 710.

To the Honorable County Court of the State of Oregon for Umatilla County. We, the undersigned Board of County Road Viewers, heretofore instructed to view, survey, and locate road No 710, submit the following report.

Pursuant to an order of the Honorable County Court, we met at the commencement point of said road on the 23th day of May 1911. We called to our aid

- W J Stock man chairman
Mr Dishon Chairman
L C Rothrock Plagman
Geary Kimbrell Marker.

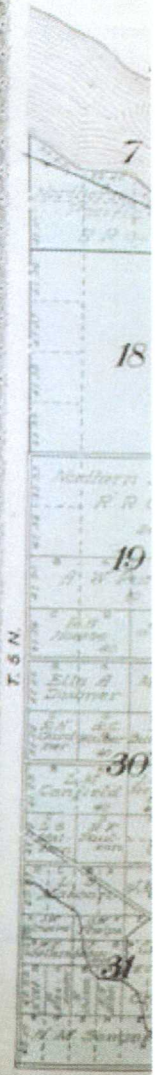
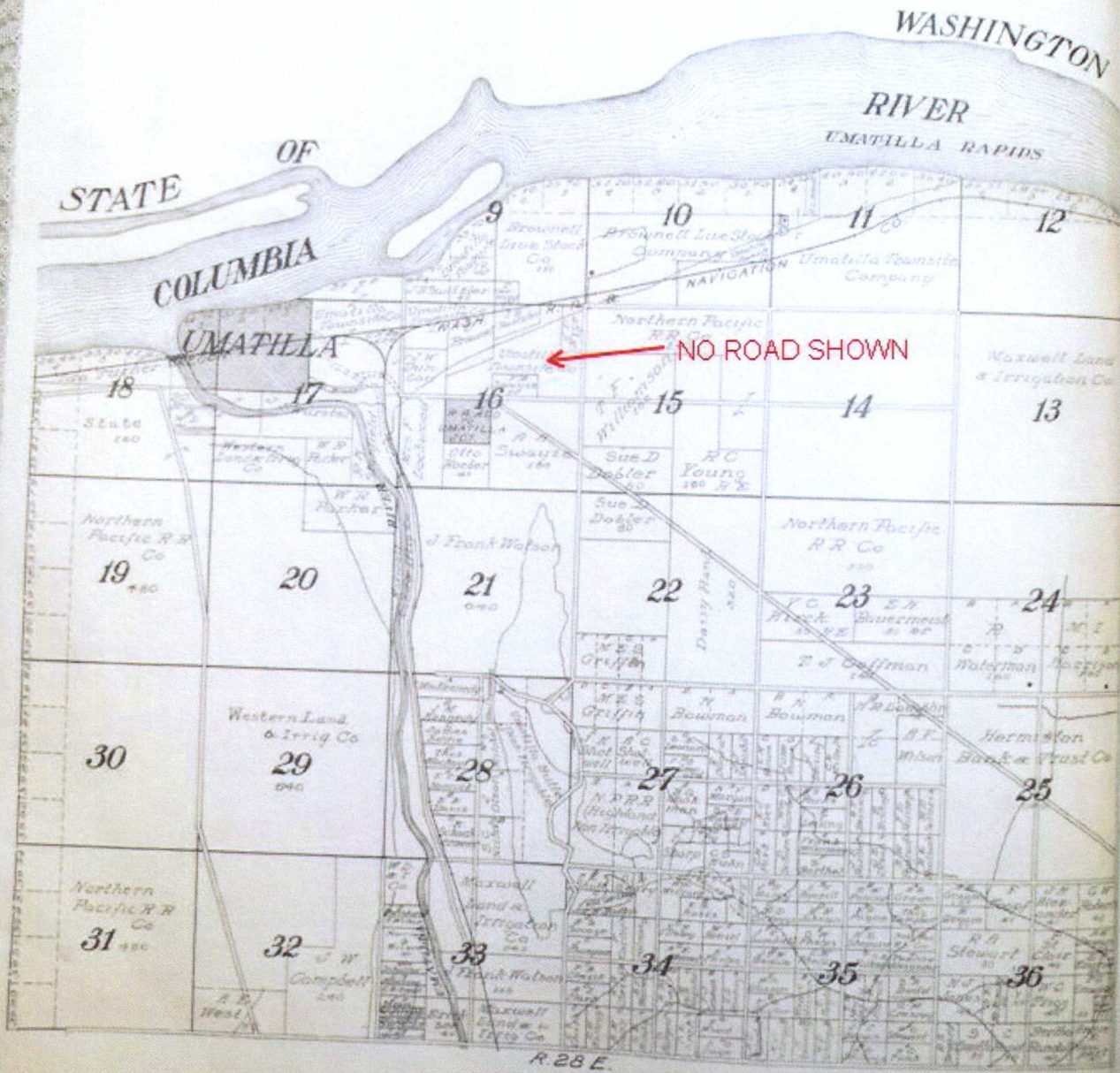
who were by the surveyor each duly sworn. We viewed, surveyed, and located said Road No. 710, as specified in our order. We find said route practicable and would most respectfully recommend that the same be located and established as a public Highway of Umatilla County, Oregon.

The cost of construction will be for one bridge with concrete abutments \$20,00

The damage to be sustained by property owners by reason of the location and establishment of said road will be nothing.



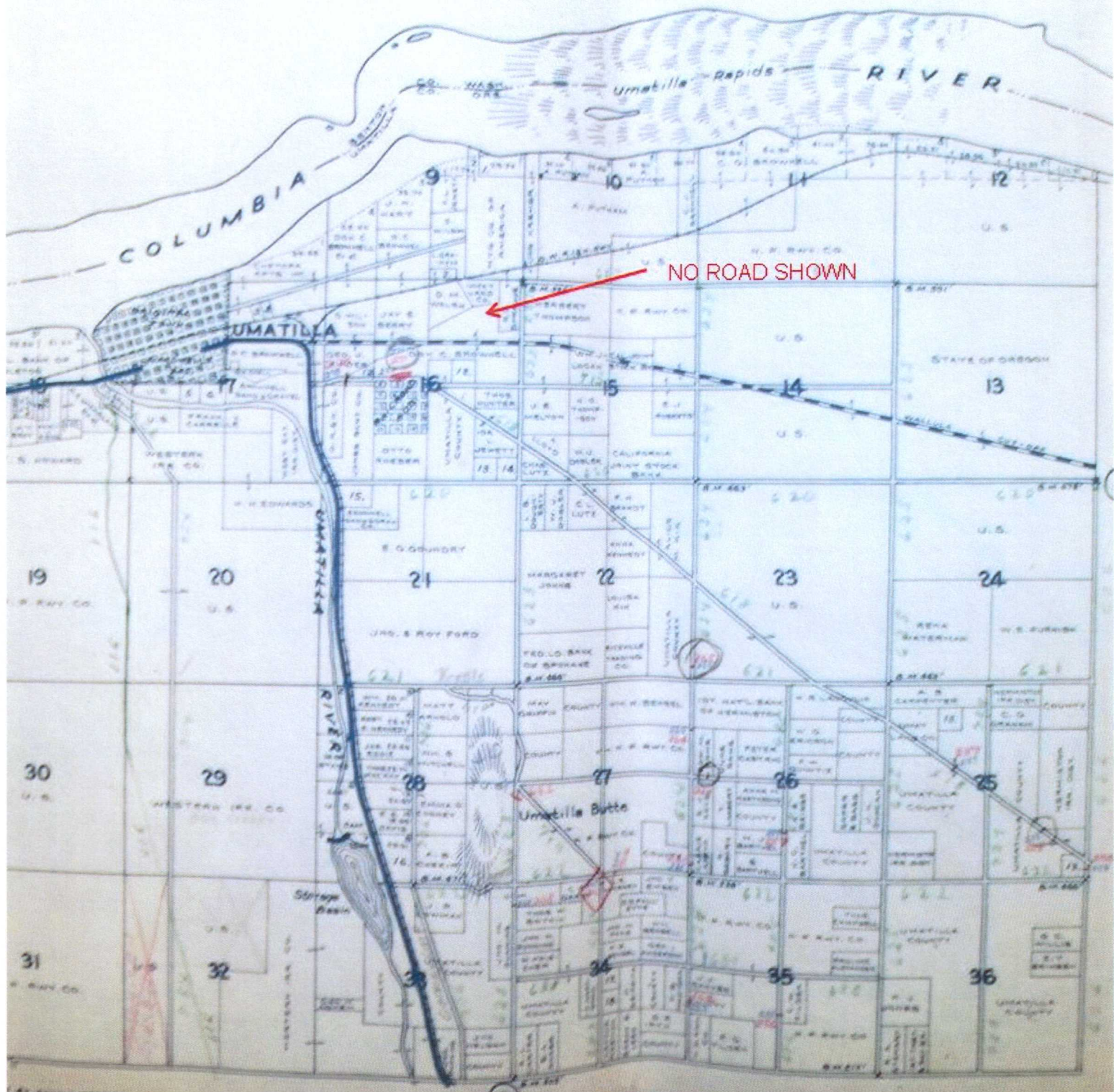
MAP OF
 Part of Township 5 N., Range 28 E.
 OF THE WILLAMETTE MERIDIAN
Scale 2 inches to 1 mile



TOWNSHIP 5 N., RANGE 28 E.W.M. UMATILLA COUNTY OREGON

SCALE 2 IN. = 1 MILE
DATED 1933

CHAS. F. MEYER
215 COMMERCE BLDG.
930 1/2 PACIFIC AVE.



NO ROAD SHOWN

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UMATILLA COUNTY.

In the Matter of Vacating of County)	
Roads, highways or part thereof, commonly)	FINAL ORDER COUNTY
known as County Roads Nos. 625, 907, 709,)	ROAD NO. 625, 907, 709,
715 & 624 adjacent to McNary Dam.)	715 & 624.

NOW ON THIS DAY (October 20, 1947,) this matter comes on to be heard for final disposition and it appearing to the Court that a Resolution was adopted on the 25th day of August A.D.1947 by this Court, and entered in its Journal declaring that proceedings to vacate the hereinafter described highway would be undertaken, and

It further appearing to the Court that the County Surveyor of Umatilla County, Oregon has been notified of said proceedings, and has made and filed herein his report in writing, recommending the vacation of the above roads, and

It further appearing that due and legal notice was given by this Court, in the manner provided by law, of the hearing upon said report of said County Surveyor, due proof of which publication has been heretofore made and filed herein, and that no objections or remonstrances have been made or filed herein, nor has any person or persons appeared adversely thereto, and that 30 days have elapsed since said notice was given and posted as required by law, and

It further appearing to the Court that on the day set for the hearing of said report of said County Surveyor, this Court did consider said report together with the said Resolution, and no remonstrances having been filed, nor any person or persons objecting thereto, and the Court being now and here satisfied that said road is useless as a part of the general road system, is burdensome to maintain, and that the public will be benefited by its vacation, and that the report of said County Surveyor is just and fair, and favorable to the Court, the same is hereby

adopted, ratified, approved and confirmed, and the hereinafter described road, to-wit:

Road No. 625. Beginning at the corner common to Sections 11, 12, 13, & 14, Twp. 5 N. Range 28 E.W.M. running thence West to the corner common to Sections 9, 10, 15, & 16, said Twp. & Range.

Road No. (907) Beginning at a point approximately 1750 feet North of Section corner common to Sections 10, 11, 14, & 15, Twp. 5 N. Range 28 E.W.M. the terminus of which is 600 feet more or less South of Section corner common to Sections 9, 10, 15, & 16, said Twp. & Range.

Road No. (709) Beginning at a point approximately 1100 feet South of Section corner common to Sections 9, 10, 15, & 16 Twp. 5 N. Range 28 E.W.M., the terminus of which is 600 feet South of Section corner to Sections 9, 10, 15, & 16.

Road No. 715. Beginning at the $\frac{1}{2}$ corner between Sections 13, & 14, Twp. 5 N. Range 28 E.W.M., the terminus being the $\frac{1}{4}$ corner between Sections 14 & 15, said Twp. & Range.

Road No. 624. Beginning at the corner common to Sections 10, 11, 14, & 15, Twp. 5 N. Range 28, E.W.M. the terminus being the $\frac{1}{4}$ corner between Sections 14 & 15, said Twp. and Range.

be, and the same are hereby vacated, and it is further ORDERED that a record hereof, be made upon the road map and plat book of Umatilla County, Oregon.

DONE AND DATED in open Court this 20th day of October, A.D., 1947.

By James A. Slings
County Judge.

John P. Hines
County Commissioner.

Henry C. Bismuth
County Commissioner.

#709
Book "S", Pg. 512

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR UMATILLA COUNTY

In the Matter of the Vacation of the right-of-way or road in Section 16, Township 5, North Range 28, E.W.M., Umatilla County, Oregon.)
ORDER VACATING PUBLIC ROAD.

NOW ON THIS DAY this matter coming on to be heard upon the petition of Roger J. Bounds, Doris S. Bounds, Albert Mattson and June E. Mattson, praying for an order of the court vacating certain public right-of-way, highway, road or thoroughfare hereinafter more particularly described; and

IT APPEARING to the Court that (1) the following described real property has been, and now is, claimed, considered or designated as a portion of the public right-of-way, highway, road or thoroughfare in the County of Umatilla, State of Oregon, to-wit:

A strip of land 66 feet in width, being a portion of County Road #709 lying in Section 16, T5N, R28, E.W.M., said strip being 33 feet in width on each side of the center line of said County Road, said center line being described as follows: Commencing at a point on the East line of Section 16, T5N, R28, E.W.M., 674.05 feet North of the Quarter Section corner between Section 16 and 15 in said Township and Range; thence South 88 18' West 444.3 feet to a stake; thence North 210 feet more or less to intersect the South right of way line of the Columbia River Highway.

That to the best knowledge of the petitioners the described real property has heretofore been dedicated for public use as a public right-of-way, highway or thoroughfare.

(2) That said real property hereinabove described has been for many years last past and now is open and for public use but not used as a right-of-way, highway, road or thoroughfare. That such use of the above described real property is wholly unnecessary in the future inasmuch as nearby portions of the Oregon State Highway and other public rights-of-way, highways or roads have been laid out since the dedication or use of the above described real property, and are better situated for use as and have been and now are being

used as public rights-of-way, highways, roads or thoroughfares, and that the real property above described lies within the boundaries of a proposed plat or subdivision for residences and other purposes to be known as "Umatilla Heights, Umatilla County, Oregon".

(3) That the petitioners are the persons particularly effected by the proposed vacation of the above described real property, and that the said property has not been opened or used by the public for a period of more than twenty years prior to the date of the petition filed herein, and that the petitioners, the owners of the property abutting the described real property, have access to their respective properties from some other public highway.

(4) That it will be for the best interests of the County of Umatilla and abutting property owners to have the above described real property vacated and thereafter vested in the rightful owners entitled thereto. That said real property is outside the limits of any incorporated city or town.

IT FURTHER APPEARING to the Court that said petition of Roger J. Bounds, Doris S. Bounds, Albert Mattson and June E. Mattson, was filed herein on the 22nd day of July, 1948, and that more than thirty (30) days have elapsed since the filing of said petition. That notice of the pendency of said action has been given for more than thirty (30) days by written notice thereof containing a description of the property to be vacated, which said notices were posted in three of the most public or conspicuous places within the limits of said platted acreage, as more particularly appears from the affidavit of posting such notices made and filed by W. F. Brown of Pendleton, Oregon, in this matter, which said affidavit is hereby referred to and by said reference made a part of this order; and

IT FURTHER APPEARING to the Court that notice of the pendency of the said petition has been given for more than thirty (30) days by written notice thereof containing a description of the property to be vacated to the Oregon State Highway Commission, and that admission of service of said notice is on file herein; and

IT FURTHER APPEARING to the Court that Roger J. Bounds, Doris S. Bounds, Albert Mattson and June E. Mattson, the only persons to be particularly effected by va-cating the right-of-way, highway, road or thoroughfare of the said described tract, have filed herein their written verified consent to the vacation of said thoroughfare, all as appears in the file herein hereby referred to and by said reference made a part of this order; and

IT FURTHER APPEARING to the Court that Willard F. Brown, County Road Master for Umatilla County, State of Oregon, has filed herein his report upon said petition as ordered by this court in which he states that said road has not been in use for a long period of time and there appears to be no reason why it should be advisable to preserve the same for a general road in the future, that vacation of the described land will be of benefit to the public and that vacation of the same is recommended; and

THE COURT BEING NOW FULLY ADVISED IN THE PREMISES,

IT IS, THEREFORE, CONSIDERED, ORDERED AND ADJUDGED that all the public right-of-way, highway, road or thoroughfare in the hereinafter described land in the County of Umatilla, State of Oregon, be, and the same are hereby vacated. Said land is described as follows, to-wit:

A strip of land 66 feet in width, being a portion of County Road #709 lying in Section 16, T5N, R28, E.W.M., said strip being 33 feet in width on each side of the center line of said County Road, said center line being described as follows: Commencing at a point on the East line of Section 16, T5N, R28, E.W.M., 674.05 feet North of the Quarter Section corner between Section 16 and 15 in said Township and Range; thence South 88 18' West 444.3 feet to a stake; thence North 210 feet more or less to intersect the South right of way line of the Columbia River Highway.

Done and dated in open court this 7th day of September, 1948.

3.

James H. Stung
County Judge.

106
14 E

2012 5880111

State of Oregon)
County of Umatilla)

SEND TAX STATEMENTS TO:

Stuart F. Bonney
P.O. Box 302
Hermiston, OR 97838



2012-5880111 1 of 14

This instrument was received
and recorded on

02-09-12 at 1:45

in the record of instrument
code type DE-B&S

AFTER RECORDING RETURN TO:

David Wm. Hadley
Attorney At Law
130 SE 3rd Street
Hermiston, OR 97838

RECEIVED

FEB 09 2012

UMATILLA COUNTY
RECORDS

Instrument Number 2012-5880111
Fee 106.00

Office of County Records

Deann Hemphill
Records Officer

BARGAIN AND SALE DEED
STATUTORY FORM

LAURA L. BUCK NIELSON and CEPHAS S.D. BUCK, Co-Trustees of Depietro Living Trust dated 9/22/99, whose address is 4307 E. Moody Lane, Mead, WA 99021, as to an undivided 1/3 interest, LAURA L. BUCK NIELSEN, whose address is 1702 Bryant Avenue, Walla Walla, WA 99362, as to an undivided 1/3 interest, and CEPHAS S.D. BUCK, whose address is 4307 E. Moody Lane, Mead, WA 99021, as to an undivided 1/3 interest, as tenants in common, as to a fee simple interest, as Grantor, hereby CONVEYS to LAURA L. BUCK NIELSON and CEPHAS S.D. BUCK, Co-Trustees of Depietro Living Trust dated 9/22/99, whose address is 4307 E. Moody Lane, Mead, WA 99021, as to an undivided 1/3 interest, LAURA L. BUCK NIELSEN, whose address is 1702 Bryant Avenue, Walla Walla, WA 99362, as to an undivided 1/3 interest, and CEPHAS S.D. BUCK, whose address is 4307 E. Moody Lane, Mead, WA 99021, as to an undivided 1/3 interest, as tenants in common, as to a fee simple interest, as Grantee, the following described real property situated in Umatilla County, Oregon to-wit:

The real property described as TRACTS A, B, and C which are described on Exhibit "A" which is attached hereto and by this reference incorporated herein together with the appurtenant easements described on Exhibit "A" as Easements Number 1 through Number 4.

The true and actual consideration for this conveyance is \$-0-. This deed is given in furtherance of a boundary line adjustment approved by the City of Umatilla, Oregon on December 23, 2011 and in compliance with ORS 92.190(4). A copy of the City's approval document is attached hereto as Exhibit "B." The purpose of the boundary line adjustment is to reconfigure the existing lots, primarily to accommodate the existing homesite, as well as to create access and utility easements to accommodate the reconfigured parcels.

The Grantor and Grantee above consent to and understand that the previously configured Tax Lot 1400 on Map 5N-28-16A is being merged into Map 5N-28-16A, Tax Lot 1500 as indicated on the survey attached.



The parcels affected by this boundary line adjustment are described in that certain Land Sale Contract dated July 12, 2011, a Memorandum of which was recorded on July 13, 2011 as Instrument No. 2011-5800433, Office of County Records, Umatilla County, Oregon. The parties to that Contract are LAURA L. BUCK NIELSON and CEPHAS S.D. BUCK, Co-Trustees of Depietro Living Trust dated 9/22/99, as to an undivided 1/3 interest, LAURA L. BUCK NIELSEN, as to an undivided 1/3 interest, and CEPHAS S.D. BUCK, as to an undivided 1/3 interest, as tenants in common, as to a fee simple interest, as Seller and STUART F. BONNEY, as Buyer. The consent of Stuart F. Bonney as Contract Buyer is set forth below.

A copy of the Record Survey is attached as Exhibit "C" which shows the location of the real property affected by this boundary line adjustment.

The parties further convey and assign that certain existing reservation of rights as contained in that certain Deed recorded November 10, 1953, in Book 214, Page 585, Deed Records, Umatilla County, Oregon between Cyril G. Brownell as Grantor and United States of America as Grantee. Said reservation is appurtenant to Tracts A, B, and C as described on Exhibit "A." Said reservation states:

"Reserving, however unto the Grantors, their heirs and assigns, the right to use the land described above as Parcel MC-D-18 for all purposes not inconsistent with the use to be made of said land by the United States for transmission line purposes; Said right shall be appurtenant to and run with that parcel of land immediately East of and adjoining said Parcel MC-D-18 and lying North of State Highway No. 2, East and South of County Road No. 709, and West of the East Line of Section 16."

BEFORE SIGNING AND ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES, OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009.

Dated this 6th day of February, 2012.



2012-5880111 3 of 14

ACCEPTED:

GRANTEE:

GRANTOR:

Laura L. Buck Nielson
Laura L. Buck Nielson, Trustee
of Depietro Living Trust dated 9/22/99,
Contract Seller

Laura L. Buck Nielson
Laura L. Buck Nielson, Trustee
of Depietro Living Trust dated 9/22/99,
Contract Seller

Cephas S.D. Buck
Cephas S.D. Buck, Trustee
of Depietro Living Trust dated 9/22/99,
Contract Seller

Cephas S.D. Buck
Cephas S.D. Buck, Trustee
of Depietro Living Trust dated 9/22/99,
Contract Seller

Laura L. Buck Nielson
Laura L. Buck Nielson, Contract Seller

Laura L. Buck Nielson
Laura L. Buck Nielson, Contract Seller

Cephas S.D. Buck
Cephas S.D. Buck, Contract Seller

Cephas S.D. Buck
Cephas S.D. Buck, Contract Seller

CONSENT OF STUART F. BONNEY

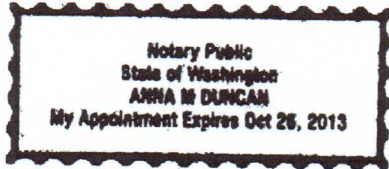
I, Stuart F. Bonney, Contract Buyer of the above referenced real property consent to the recording of this Deed and accept the property as reconfigured.

Stuart F. Bonney
Stuart F. Bonney, Contract Buyer

STATE OF WASHINGTON)
)ss.
County of Walla Walla)

This instrument was acknowledged before me on February 6th, 2012 by Laura L. Buck Nielson, Trustee of Depietro Living Trust dated 9/22/99.

Anna M. Duncan
Notary Public for Washington
My Commission Expires: Oct 26, 2013



STATE OF WASHINGTON)
County of Spokane)ss.

2012-5880111 4 of 14

This instrument was acknowledged before me on January 28, 2012 by Cephas S.D. Buck, Trustee of Depietro Living Trust dated 9/22/99

[Signature]
Notary Public for Washington
My Commission Expires: Nov 23, 2013

Notary Public
State of Washington
ANTHONY D URLACHER
My Appointment Expires Nov 23, 2013

STATE OF WASHINGTON)
County of Walla Walla)ss.

This instrument was acknowledged before me on February 6th, 2012 by Laura L. Buck Nielson.

[Signature]
Notary Public for Washington
My Commission Expires: Oct 26, 2013

Notary Public
State of Washington
ANNA M DUNCAN
My Appointment Expires Oct 26, 2013

STATE OF WASHINGTON)
County of Spokane)ss.

This instrument was acknowledged before me on January 28, 2012 by Cephas S.D. Buck.

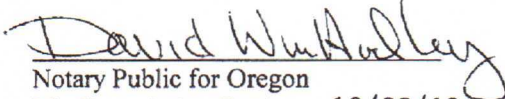
[Signature]
Notary Public for Washington
My Commission Expires: Nov 23, 2013

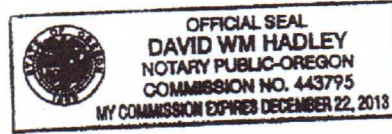
Notary Public
State of Washington
ANTHONY D URLACHER
My Appointment Expires Nov 23, 2013

STATE OF OREGON)
)ss.
County of Umatilla)


2012-5880111 5 of 14

This instrument was acknowledged before me on January 19, 2012 by Stuart F. Bonney.


Notary Public for Oregon
My Commission Expires: 12/22/13



PREPARED BY:
David Wm. Hadley, OSB No. 81252
Attorney At Law
130 SE 3rd Street
Hermiston, OR 97838
bonneysd335



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Stuart Bonney Boundary Adjustment Descriptions:

TRACT A, (Revised Tax Lot 1200, Assessor Map 5N 28 16A):

A tract of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

Commencing at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 00°05'41" East along the East line of said Section 16 a distance of 340.00 feet to the TRUE POINT OF BEGINNING for this description; thence North 00°05'41" East, continuing along the East line of said Section 16 a distance of 269.00 feet to a point on the centerline of vacated County Road No. 709; thence South 55°15'14" West along the centerline of vacated County Road No. 709 a distance of 170.57 feet; thence South 00°05'41" West, parallel with the East line of said Section 16 a distance of 171.55 feet; thence South 89°54'19" East, perpendicular to the East line of said Section 16 a distance of 140.00 feet to the TRUE POINT OF BEGINNING.

Tract A contains 0.71 acre, more or less.

TRACT B, (Revised Tax Lot 1300, Assessor Map 5N 28 16A):

A tract of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

Commencing at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 00°05'41" East along the East line of said Section 16 a distance of 609.00 feet to a point on the centerline of vacated County Road No. 709; thence South 55°15'14" West along the centerline of vacated County Road No. 709 a distance of 170.57 feet to the TRUE POINT OF BEGINNING for this description; thence South 00° 05'41" West, parallel with the East line of said Section 16 a distance of 317.34 feet; thence North 89°54'19" West, perpendicular to the East line of said Section 16 a distance of 69.21 feet to a point on the Westerly line of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 16°04'03" West along the Westerly line of said Buck Tract a distance of 233.20 feet to a point in the centerline of vacated County Road No. 709; thence North 55°15'14" East along the centerline of vacated County Road No. 709 a distance of 163.42 feet to the TRUE POINT OF BEGINNING.

Tract B contains 0.66 acre, more or less.

EXHIBIT A
PAGE 1 of 4

TRACT C, (Revised Tax Lot 1500, Assessor Map 5N 28 16A):

A tract of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

BEGINNING at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 00°05'41" East along the East line of said Section 16 a distance of 340.00 feet; thence North 89°54'19" West, perpendicular to the East line of said Section 16 a distance of 140.00 feet; thence South 00°05' 41" West, parallel with the East line of said Section 16 a distance of 145.79 feet; thence North 89° 54'19" West, perpendicular with the East line of said Section 16 a distance of 69.21 feet to a point on the Westerly line of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence South 16°04'03" East along the Westerly line of said Buck Tract a distance of 112.87 feet to an angle point in said Westerly line; thence South 00°00'13" East, continuing along the Westerly line of said Buck Tract a distance of 83.61 feet to a point on the Northerly right-of-way line of U.S. Highway No. 730; thence South 89°12'06" East along said North right-of way line a distance of 177.66 feet to the POINT OF BEGINNING.

Tract C contains 1.30 acres, more or less.



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New ingress-egress and utility Easement Number 1:

There is reserved from Tract B and Tract C a new ingress-egress and utility easement of variable width. This easement shall be appurtenant to Tract A, Tract B and Tract C.

The easement is described as follows:

A strip of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

BEGINNING at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 00°05'41" East along the East line of said Section 16 a distance of 340.00 feet; thence North 89°54'19" West, perpendicular to the East line of said Section 16 a distance of 140.00 feet; thence North 00°05' 41" East, parallel with the East line of said Section 16 a distance of 171.55 feet to a point on the centerline of vacated County Road No. 709; thence South 55°15'14" West along the centerline of vacated County Road No. 709 a distance of 24.37 feet; thence South 00°05'41" West, parallel with the East line of said Section 16 a distance of 187.63 feet; thence South 89°54'19" East, perpendicular to the East line of said Section 16 a distance of 110.00 feet; thence South 44°54'19" East a distance of 28.28 feet to a point located 30.00 feet West, when measured perpendicular to, the East line of said Section 16; thence South 00°05'41" West, parallel with the East line of said Section 16 a distance of 207.80 feet; thence South 11°26'49" West a distance of 83.26 feet to a point on the

EXHIBIT A
PAGE 2 of 4



North right-of-way line of U.S. Highway No. 730; thence South 89°12'06" East along said North right-of-way line a distance of 46.39 feet to the POINT OF BEGINNING.

New ingress-egress and utility Easement Number 2:

There is reserved from Tract A and Tract B a new 20 foot wide ingress-egress and utility easement. This easement shall be appurtenant to Tract A, Tract B and Tract C.

The easement is described as follows:

A strip of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

Commencing at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 00°05'41" East along the East line of said Section 16 a distance of 609.00 feet to a point on the centerline of vacated County Road No. 709, the TRUE POINT OF BEGINNING for this description; thence South 55°15'14" West along the centerline of vacated County Road No. 709 a distance of 333.99 feet to a point on the Westerly line of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence South 16°04'03" East along the Westerly line of said Buck Tract a distance of 21.11 feet to a point on the former South right-of-way line of said County Road No. 709; thence North 55°15'14" East along said former South right-of-way line a distance of 326.83 feet to a point on the East line of said Section 16; thence North 00°05'41" East along the East line of said Section 16 a distance of 24.37 feet to the TRUE POINT OF BEGINNING.

New ingress-egress and utility Easement Number 3:

There is reserved from Tract C, a new 10 foot wide ingress-egress and utility easement. This easement shall be appurtenant to Tract B and Tract C.

The centerline of the 10 foot wide easement is described as follows:

A strip of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

Commencing at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 89°12'06" West along the North right-of-way line of said U.S. Highway No. 730 a distance of 161.75 feet to the POINT OF BEGINNING for this centerline description; thence North 05°17'53" West a distance of 85.02 feet; thence North 14°45'26" West a distance of 70.94 feet; thence North 74°57'41" East a distance of 35.42 feet; thence North 00°37'42" West a distance of 29.76 feet to the TERMINUS POINT for this centerline description.



The side lines of Easement Number 3 are to be lengthened or shortened to terminate on the North right-of-way line of U.S. Highway No. 730 and on a line which bears North 89°54'19" West and South 89°54'19" East from the Terminus Point.

New ingress-egress and utility Easement Number 4:

There is reserved from Tract B, a new 30 foot wide ingress-egress and utility easement. This easement shall be appurtenant to Tract A, Tract B and Tract C.

The centerline of the 30 foot wide easement is described as follows:

A strip of land located in the East Half of the Northeast Quarter of Section 16, Township 5 North, Range 28 East, W.M., Umatilla County, Oregon described as follows:

Commencing at the point of intersection of the East line of Section 16 with the Northerly right-of-way line of U.S. Highway No. 730, said point being the Southeast corner of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon; thence North 00°05'41" East along the East line of said Section 16 a distance of 609.00 feet to a point on the centerline of vacated County Road No. 709; thence South 55°15'14" West along the centerline of vacated County Road No. 709 a distance of 170.57 feet; thence South 00°05'41" West, parallel with the East line of said Section 16 a distance of 92.98 feet to the POINT OF BEGINNING for this centerline description; thence South 87°38'11" West a distance of 41.03 feet; thence South 77°32'31" West a distance of 25.34 feet; thence South 67°36'39" West a distance of 25.23 feet; thence South 58°49'27" West a distance of 40.09 feet to a point on the Westerly line of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon, the TERMINUS POINT for this centerline description.

The side lines of Easement Number 4 are to be lengthened or shortened to terminate on a line which bears North 00°05'41" East and South 00°05'41" West from the Point of Beginning and on the Westerly line of that tract of land conveyed to Cephas C. Buck, et ux, by deed recorded in Book 322, Page 271, Deed Records, Umatilla County, Oregon.



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CITY OF UMATILLA

Planning Department (541) 922-3226 ex. 101
700 Sixth Street, Umatilla, OR 97882

File No. _____

LOT LINE ADJUSTMENT APPLICATION

NOTICE TO APPLICANT: On original application form, please print legibly using blue or black ink, or type. Applicants are advised to review the list of submittal requirements indicated on each application form prior to submitting an application. **Incomplete applications will not be acted upon until the Planning Department receives all required submittal materials and fees.**

Failure to provide complete and/or accurate information may result in delay or denial of your request.

SITE LOCATION AND DESCRIPTION

Tax Map #(S) NE 1/4 SEC 16 + 5N R 28 E W 1/4 Tax Lot #(s) 1200, 1300, 1400, 1500

Tax Map #(S) _____ Tax Lot #(s) _____

Frontage street or address 82346 BUCKS LANE, UMATILLA, OREGON 97882

Nearest cross street US Highway No. 730

Current zoning City of Umatilla GC (General Commercial) County Umatilla

Site size (acres or square feet) 2.69 Acres Total Dimensions Frontage on Hwy 1177.66'

EAST side 609.00 FEET, WEST side 429.68 FEET, NORTH side 333.99 FEET

SPECIFIC REQUEST (Briefly state the nature of the request) CITY OF UMATILLA would like OWNER to DO

Boundary Adj. AS ONE Lot Line runs through center of House, and TAX LOTS

should or MUST HAVE AT least 50' Frontage on Bucks Lane.

ON TAX Roll House is TAXED ON TAX Lot 1300 AND will REMAIN THAT way

AND 1400 will DISAPPEAR when TAX LOTS 1400 + 1500 ARE Combined.

APPLICANT STUART F. BONNEY

Mailing address P.O. Box 302, HERMISTON, Oregon 97838

Phone 541-567-2833 Fax N/A Email N/A Cell phone 541-561-7778

Applicant's interest in property OWNER

Signature Stuart F Bonney Date 11/20/11

PROPERTY OWNER STUART F. BONNEY

Mailing address P.O. Box 302, HERMISTON, Oregon 97838

Phone 541-567-2833 Fax N/A Email N/A Cell 541-561-7778

Adjacent property under same ownership (list tax lot ID) NO

Signature Stuart F Bonney Date 11/20/11

If same as applicant, mark SAME. If there is more than one property owner, please attach additional sheets as necessary.

OFFICE USE ONLY

150 day time limit
30 day to day notice requirement
Public hearing date
Notice mailed
Date of first hearing
Notice mailed
Emailed
Appeal deadline

Accepted as complete 12/23/2011

Date mailed NA

Publication date EXHIBIT B

Date mailed PAGE 1 of 3

Final decision by Robert Wink

Date of first hearing NA

Notice mailed NA

Emailed NA

Appeal deadline NA

STRUCTURES Please indicate the type and number of structures currently on the site, and proposed for construction

Single Family Residence(s) ONE Multi Family Residence(s) _____
Manufactured Home(s) _____ Travel Trailer(s) _____
Other residential structure(s) _____ Barn/other ag building(s) _____
Commercial building(s) _____ Industrial Building(s) _____
Accessory buildings/structures Well House Other _____



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SERVICE PROVIDERS Please indicate which of the following services are provided on the property

Water City of Umatilla YES Well YES Other/None _____
Sewer City of Umatilla _____ Septic YES Other/None _____

Does the property have access to City streets? (Y/N, please explain what and where) NO (us Hwy 730)

Does the property have access to County Roads? (Y/N, please explain what and where) NO

If the property is subject to special assessment or debt from any special districts (fire, road, etc), please provide details.
NONE

LIVESTOCK Please list the number and type of all livestock currently present on the property (horses, cattle, sheep, goats, chickens, etc. Do not include domestic pets such as cats and dogs) WildLife Deer

BUSINESSES Are any businesses operating on the property? If yes, please describe. Yes: TAX Lot 1500

Bucks Lane Farm & Equipment Sales, License # 111-2012

All businesses operating within the City of Umatilla must obtain a Business License.

The criteria listed below relate to approval of a tentative plat only. Additional criteria apply after tentative plat approval.

Lot Size. - the minimum lot sizes are as follows (all sizes are in square feet):

Zone	
R-1	8,000
R-2	5,000
R-3	5,000
DR	5,000
DR (attached)	2,000
NC	5,000
DC	None
GC	5,000
DT	None
M1	5,000
M2	None

EXHIBIT B
PAGE 2 of 3

11-2-5: LOT LINE ADJUSTMENT REVIEW STANDARDS:

The City Administrator shall approve lot line adjustments to legally created lots or parcels if the following standards are met:

- A. No new lot or parcel is created.
- B. The adjustment does not reduce a lot or parcel below the minimum size allowed for the zoning district in which the lot or parcel is located.
- C. Each adjusted lot or parcel shall have street frontage in compliance with zoning standards or other approved access to a public street.
- D. Each adjusted lot or parcel conforms with all other applicable requirements of this Code.
- E. Each adjusted boundary is surveyed and filed with the County Surveyor and recorded with the County Clerk. (Ord. 673, 6-16-1998)

The applicant bears the burden of proof to show that the application meets all standards and criteria contained in the Zoning and Subdivision Ordinances. Applicants should demonstrate compliance with all applicable criteria and standards as part of the application materials.

Although not required, it is highly recommended that applicants have the property surveyed and the tentative plat prepared by a surveyor prior to making an application. A proper survey prepared as part of the tentative plat application can save many headaches later on. Please trust us on this.

SUBMITTAL REQUIREMENTS

The following items must be completed upon submittal of a variance application. If you need assistance completing the forms, please contact the Planning Department. If you do not have a copy of the deed to your property to verify ownership, contact the Umatilla County Office of County Records at (541) 278-6236 or www.co.umatilla.or.us/records.htm.

1. Original, signed **Application form**. This information is public record and must be reproduced so please type or write clearly using dark ink. *Electronic submittals of all materials are encouraged.*
2. **10 copies of the tentative plat** showing all lot lines, park lands, utility and/or other easements, water ways, flood plain, right-of-way dedications and other items outlined in the approval criteria above.
3. **Narrative** specifically addressing compliance with every section listed above.
4. Please **submit all plans to scale**; use 1"=20' or 1"=40' or 1"=100" unless plans are exceptionally large.
5. Any additional information you wish to supply to support your request.
6. The appropriate **fee**.





















125
1" = 60'
3



EXHIBIT B
PAGE 3 of 3

RECORD OF SURVEY FOR BOUNDARY ADJUSTMENT

LEGEND

-  FOUND QUARTER OR SECTION CORNER AS NOTED.
-  FOUND 5/8" REBAR WITH YELLOW PLASTIC CAP PER PARTITION PLAT NO. 2001-48.
-  FOUND MONUMENT AS NOTED.
-  FOUND 5/8" REBAR WITH 1 1/4" RED PLASTIC CAP STAMPED "COPUS 1488 SIMPLS 17322" FROM SURVEY NO. 60-148-8. SEE SURVEY NO. 60-148-8 FOR DIMENSIONS BETWEEN INTERIOR MONUMENTS.
-  SET 5/8" BY 3/4" REBAR WITH 1 1/4" RED PLASTIC CAP STAMPED "COPUS FROM SIMPLS 17322" TO MARK NEW TRACT BOUNDARIES AFTER ADJUSTMENT.
-  CALCULATED POINT ONLY, NOT FOUND OR SET.
-  RECORDS ENCLOSURE PER PARTITION PLAT 2001-48.
-  RECORDS ENCLOSURE PER DEED DESCRIPTION.
-  RECORDS ENCLOSURE PER DEED DESCRIPTION IN BOOK 814, PAGE 888-887, DEED RECORDS AND RECORDS OF SERIAL SURVEY MAP BY DISPOSABLE POWER ADMINISTRATION FOUND IN THE USAMILLA COUNTY ASSessor'S OFFICE.
-  RECORDS ENCLOSURE PER STATE HIGHWAY GRADING 700-1-25, DATED JULY 25, 1961, LINE TOO SHORT TO APPROXIMATE, SEE SHORT LINE TABLE.
-  INDICATES LOCATION OF EXISTING EASEMENT, SEE "EXISTING EASEMENT NOTES".
-  INDICATES LOCATION OF APPROVED HIGHWAY APPROACH, SEE "HIGHWAY APPROACH POINT NOTES".
-  EXISTING TAX LOT LINE, EXISTING TAX LOT LINE MEASUREMENTS UNDER SURVEY NO. 60-148-8, TAX LOT MEASUREMENTS ARE FROM USAMILLA COUNTY TAX MAP NO. 8000A.
-  EXISTING EASEMENT LINE, SEE "EXISTING EASEMENT NOTES".
-  REVISED TAX LOT LINES.
-  PROPOSED NEW EASEMENT LINES, AS NOTED.
-  EXISTING WATER METERS.
-  EXISTING CITY WATER LINE, 12 INCH.
-  EXISTING MESA OVERHEAD POWER LINE.
-  EXISTING BARRED POWER OPTIC LINE.



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NOTE: NEW MEASUREMENTS WILL BE ESTABLISHED AND DESCRIPTIONS PREPARED FOR REMOVED TRACTS AND EASEMENTS AFTER THE ADJUSTMENT RECORDS ARE APPROVED BY THE CITY OF USAMILLA.

NARRATIVE

THE PURPOSE OF THIS MAP AND SURVEY IS TO DOCUMENT AND CORRECT THE PROPERTY BOUNDARY LINE ADJUSTMENTS OF FOUR EXISTING TRACTS. THE MAP AND SURVEY WERE MADE AT THE REQUEST OF MR. STUART F. BONNEY, THE BOUNDARIES OF THE FOUR EXISTING TRACTS WERE SURVEYED BY 2000 LAMSON SURVEY NO. 60-148-8.

THE REMOVED TRACT LINES ARE TO BE DEMONSTRATED AS SHOWN, AFTER THE BOUNDARY LINE ADJUSTMENTS ARE APPROVED BY THE CITY OF USAMILLA.

TRIANGLE, CROSS, GEOMETRIC SPIKE, DIMENSIONS WERE USED FOR CONTROL, SURVEY AND CORNER SETS, CORNER TIES AND SETS WERE VERIFIED BY REBOUNDARY OBSERVATIONS.

PLANNING & ZONING INFORMATION ONLY

BOUNDARY ADJUSTMENT & REZONE PROPOSAL:

1. THIS PROPOSAL INVOLVES REVISING THE BOUNDARIES OF TRACTS KNOWN AS TAX LOTS 1200, 1201, 1400 & 1401, USAMILLA COUNTY ASSessor'S MAP NO. 8000A.
2. AFTER BOUNDARY REVISIONS, THE PLAN IS TO CONSOLIDATE TAX LOTS 1400 & 1401 INTO ONE TAX ACCOUNT, WITH INTENT TO APPLY AN ORIGINAL COMMISSION, REVISED TAX LOT 1400 SHOULD REMAIN UNDER USAMILLA COMMERCIAL, A REZONE REQUEST WILL BE SUBMITTED TO THE CITY TO REZONE REVISED TAX LOT 1400 TO RESIDENTIAL.
3. A NEW PRIVATE BARRIED-POWER & UTILITY EASEMENT UNDER AN "ADJACENT LANE" IS TO BE CREATED AS PART OF THE BOUNDARY LINE ADJUSTMENT. THIS EASEMENT UNDER EASEMENT IS SHOWN, THIS NEW EASEMENT WILL BE BARRIED FROM AND BE APPROPRIATE TO ALL THE REMOVED TRACTS.
4. A NEW PRIVATE 30 FOOT BARRIED-POWER & UTILITY EASEMENT IS TO BE CREATED IN WHICH THE FRONT PART OF THE BARRIED-POWER UNDER AN "ADJACENT LANE" IS TO BE APPROPRIATE TO THE REMOVED TRACTS. THIS EASEMENT UNDER EASEMENT IS SHOWN, THIS EASEMENT WILL ALSO BE APPROPRIATE TO CONSOLIDATED REVISED TAX LOTS 1400 & 1401, THIS EASEMENT IS SHOWN.
5. A NEW PRIVATE 30 FOOT UTILITY EASEMENT IS TO BE CREATED ACROSS REMOVED, CONSOLIDATED TAX LOTS 1400 & 1401, THIS EASEMENT IS ALSO THE EXISTING WATER LINE TO REVISED TAX LOT LINES, REVISED, CONSOLIDATED TAX LOTS 1400 & 1401 WILL, ALSO HAVE ONE OF THE UTILITY LINE & OTHER UTILITIES WITHIN THE EASEMENT, THIS EASEMENT IS SHOWN AND THE CENTERLINE IS APPROXIMATE.
6. UNDER THE PROPERTY LINE CORNER TO THE "ADJACENT LANE" IS USED TO CORRECT AT BOOK 814, PAGE 888, AS SHOWN, CORNER POINTS WERE REVERSED TO THE TRACTS BEING BOUNDARY ADJUSTED, SEE SECTION 1. OF THIS MAP.
7. A NEW PRIVATE 30 FOOT BARRIED-POWER & UTILITY EASEMENT IS TO BE CREATED ACROSS REVISED TAX LOT 1200, THIS EASEMENT WILL BE BARRIED FROM TAX LOT 1200 AND IS APPROPRIATE TO REVISED TRACTS TAX LOT 1200, CONSOLIDATED TAX LOTS 1400 & 1401, THIS EASEMENT IS SHOWN AND THE CENTERLINE IS APPROXIMATE.
8. DESCRIPTIONS FOR REMOVED TRACTS AND APPROVED EASEMENTS WILL BE PREPARED AFTER BOUNDARY ADJUSTMENT APPROVAL BY THE CITY OF USAMILLA, THE DESCRIPTIONS WILL BE USED FOR THE BOUNDARY ADJUSTMENT RECORDS.

CONTRACT INFORMATION:
STUART F. BONNEY
P.O. BOX 1888
PENDLETON, OREGON 97050

MONUMENTS USED:
LARRY L. BRUCE WELSON AND COPUS S.D. BLACK, CO-TRUSTEES OF DEPENDS LIVING TRUST DATED 6/22/76, AS TO AN UNIMPROVED 1/3 INTEREST.
LARRY L. BRUCE WELSON, AS TO AN UNIMPROVED 1/3 INTEREST.
COPUS S.D. BLACK, AS TO AN UNIMPROVED 1/3 INTEREST.

REMOVED AREAS ARE CALCULATED BASED ON SURVEY MEASUREMENTS.

IN COUNTY OF WASHINGTON
 PARTITION PLAT NO. 2001-48

LANDS OF THE U.S.A.
C/O BUREAU OF LAND MANAGEMENT
P.O. BOX 2885
PORTLAND, OR 97208
ZONE: COUNTY E21

SHORT LINE TABLE

NO.	BEARING	DISTANCE
L1	S 10°04'00" E	30.00'
L2	N 44°34'18" E	30.00'
L3	N 89°54'18" E	30.00'
L4	N 89°58'01" E	30.00'
L5	N 74°57'41" E	30.00'
L6	N 68°57'42" E	30.76'
L7	N 59°48'27" E	49.00'
L8	N 77°38'30" E	28.33'
L9	N 77°32'31" E	26.34'
L10	N 47°38'11" E	41.00'

FOUND A 3 1/2" REBAR CAP IN CONCRETE BY THE CORNER OF PARCELS, CADA 888, HELD AS A POINT AT INTERSECTION OF THE NORTHERLY 1/4 LINE OF STATE HIGHWAY AND THE EAST LINE OF SECTION 18, NO RECORD FOUND IN SURVEYOR'S OFFICE.

NORTH END OF PAYMENT

HIGHWAY APPROACH PERMIT NOTES

1. LOCATION OF HIGHWAY APPROACH PERMIT, A.P. 17322, GRANTED BY LETTER DATED 12/21/11 AT 11:21 AM, LEFT PROPERTY LINE, DIMENSIONS SECTION 8000A, MAP NO. 8000A-25.
2. LOCATION OF CORNER POINT APPROACH PERMIT, A.P. 17322, GRANTED BY LETTER DATED 12/21/11 AT 11:21 AM, LEFT PROPERTY LINE, DIMENSIONS SECTION 8000A, MAP NO. 8000A-25.

EXHIBIT C
PAGE 1 of 2

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Will R. Wells
CREATED
JULY 20, 2017
WELLS R. WELLS
1189
REVISION 6/25/12

WELLS SURVEYING
1 SV NYE AVENUE, SUITE B
P.O. BOX 1888
PENDLETON, OREGON
PHONE: (541) 276-8382

DATE 12/11 DE. BY JWB/jwb
CK BY WSW NO: 11-1286

PROJECT:
BOUNDARY ADJUSTMENT
SURVEY FOR:
STUART F. BONNEY

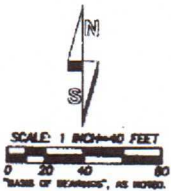
LOCATED IN THE NORTHEAST QUARTER OF
SECTION 18, TOWNSHIP 3 NORTH, RANGE
20 EAST, T14N, R20E, USAMILLA COUNTY, OREGON

12-014-C

SECTION CORNER
FORM 5 1/2" BRASS CAP IN CONCRETE AS
REPORTED ON PARTITION PLAT NO. 2001-48



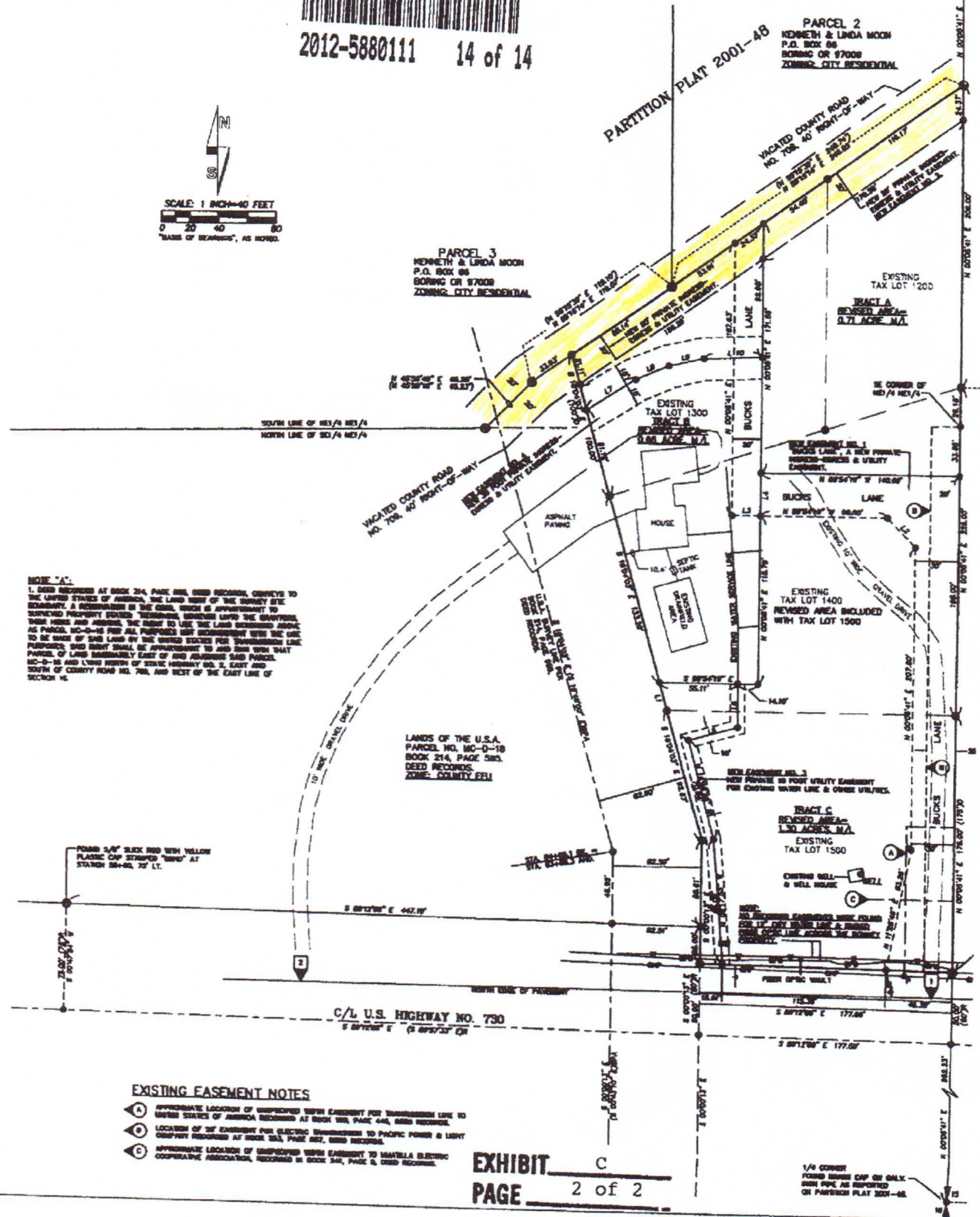
2012-5880111 14 of 14



PARTITION PLAT 2001-48

PARCEL 2
KENNETH & LINDA MOON
P.O. BOX 88
SPRING CR 97008
ZONING: CITY RESIDENTIAL

PARCEL 3
KENNETH & LINDA MOON
P.O. BOX 88
SPRING CR 97008
ZONING: CITY RESIDENTIAL



NOTE "A"
I, GENE REEDER AT BOOK 214, PAGE 382, DEED RECORDS, CONVEYS TO THE UNITED STATES OF AMERICA, THE LAND WEST OF THE QUARTY SITE BOUNDARY, A SUBDIVISION OF THE GRID, WHICH IS APPROPRIATE TO SURVEYED PROPERTY EXISTING THEREON, UNDER THE GRANTING, THIS INSTRUMENT, THE RIGHT TO USE THE LAND BOUNDARY ABOVE, AS PARCEL, MC-D-18 FOR ALL PURPOSES NOT INCONSISTENT WITH THE USE TO BE MADE OF SAID LAND BY THE UNITED STATES FOR TRANSMISSION LINE PURPOSES, SAID RIGHT SHALL BE APPROPRIATE TO AND SAID WEST QUARTY PARCEL OF LAND SUBSEPARATE EAST OF AND ADJOINING SAID PARCEL, MC-D-18 AND LYING NORTH OF STATE HIGHWAY NO. 2, EAST AND SOUTH OF COUNTY ROAD NO. 708, AND WEST OF THE EAST LINE OF SECTION 16.

LANDS OF THE U.S.A.
PARCEL NO. MC-D-18
BOOK 214, PAGE 382.
DEED RECORDS.
JOHNS COUNTY, ILL.

FORM 5 1/2" BRASS CAP WITH YELLOW
PLASTIC CAP STAMPED "MOON" AT
STATION 38+40.27' LT.

- EXISTING EASEMENT NOTES**
- (A) APPROXIMATE LOCATION OF UNSPECIFIED WIRE EASEMENT FOR TRANSMISSION LINE TO UNITED STATES OF AMERICA RECORDED AT BOOK 282, PAGE 448, DEED RECORDS.
 - (B) LOCATION OF 20' EASEMENT FOR ELECTRIC TRANSMISSION TO PACIFIC POWER & LIGHT COMPANY RECORDED AT BOOK 282, PAGE 487, DEED RECORDS.
 - (C) APPROXIMATE LOCATION OF UNSPECIFIED WIRE EASEMENT TO MANTILLA ELECTRIC COOPERATIVE ASSOCIATION, RECORDED AT BOOK 244, PAGE 6, DEED RECORDS.

EXHIBIT
PAGE 2 of 2

1/4 CORNER
FORM 5 1/2" BRASS CAP ON GULCH
WITH 5/8" CAP AS REPORTED
ON PARTITION PLAT 2001-48

2001-48

PARTITION PLAT 2001-48

IN NE 1/4, SECTION 16, T 5 N, R 28 E, W.M.,
UMATILLA COUNTY, OREGON

BEARING BASE MY 1989 SURVEY FOR UMATILLA COUNTY
N 88°47'53" E 2636.93' [2636.89']

SURVEYOR'S NARRATIVE:

I, G. DENNIS EDWARDS, AM A REGISTERED SURVEYOR OF THE STATE OF OREGON AND HAVE MARKED WITH LEGAL MONUMENTS THE LAND DESCRIBED BELOW.
THE BEARINGS AND THE SECTION SUBDIVISION ARE BASED ON MY 1989 AREA ONE COUNTY MONUMENTATION SURVEY.
DESCRIPTION: BEGINNING AT THE S.W. CORNER OF THE E 1/2 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 16, T 5 N R 28 E, WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON, AND RUNNING: THENCE N 0° 06' 43" E ALONG THE WEST LINE OF SAID E 1/2 A DISTANCE OF 322.58 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF COUNTY ROAD #1286; THENCE N 66° 10' 00" E ALONG SAID RIGHT OF WAY LINE 229.09 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE N 61° 41' 37" E 511.54 FEET TO A POINT ON THE EAST LINE OF SAID EAST HALF; THENCE S 0° 05' 41" W ALONG SAID EAST LINE 410.91 FEET TO A POINT ON THE CENTER LINE OF VACATED COUNTY ROAD #709; THENCE S 55° 15' 39" W ALONG SAID CENTER LINE 367.84 FEET; THENCE CONTINUING ALONG SAID CENTER LINE S 45° 59' 18" W 45.23 FEET TO A POINT ON THE SOUTH LINE OF SAID EAST HALF; THENCE S 88° 59' 00" W ALONG SAID SOUTH LINE 325.15 FEET TO THE POINT OF BEGINNING, CONTAINING 6.29 ACRES.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

G. Dennis Edwards

OREGON
JULY 16, 1971
G. DENNIS EDWARDS
RENEWS 12/31/2001

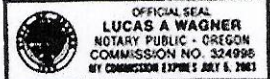
OWNER'S DECLARATION:

WE, THE OWNERS OF THE LAND DESCRIBED ABOVE, HEREBY DECLARE THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED.
WE ACKNOWLEDGE THE 20 FOOT CITY SEWER LINE EASEMENT WHICH RUNS ACROSS THIS TRACT.
WE HEREBY DEDICATE A 30 FOOT EASEMENT FOR INGRESS AND EGRESS AND UTILITIES ALONG THE LINE COMMON TO PARCELS 1 AND 3 AND PART OF PARCEL 2 AS SHOWN. THIS IS FOR THE BENEFIT OF ALL THREE PARCELS.
WE ALSO DEDICATE A 10 FOOT UTILITY EASEMENT ALONG THE EAST SIDE OF PARCEL 1 AS SHOWN.

Scott Rada
SCOTT RADA

Staci Rada
STACI RADA

STATE OF Oregon
COUNTY OF UMATILLA
SUBSCRIBED, AND SHOWN BEFORE ME ON THIS
17th DAY OF September, 2001
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES July 5, 2003



LEGEND:

- MONUMENTS FOUND AS NOTED
- SET 5/8" X 30" IRON REBAR WITH PLASTIC CAP #951
- (000) OF RECORD, COPPOCK 1999 SURVEY FOR U.E.C.
- [000] OF RECORD, MY 1989 AREA #1 COUNTY MON. SURVEY

STATE OF OREGON, }
COUNTY OF UMATILLA }
I certify that this instrument was received and recorded
ON October 22, 2001
at 9:10 o'clock Am., in the record of
PLATS of said County,
YEAR NUMBER Slide
2001 48

APPROVALS:

APPROVED THIS 16 DAY OF October, 2001.
David H. Kline
UMATILLA COUNTY SURVEYOR

OFFICE OF COUNTY RECORDS
By: GEORGIA DUNAWAY, Records Officer
Fees \$ 50.00 No. 2001-3990175

APPROVED THIS 16 DAY OF October, 2001.
Beth Jane Stevens
CITY OF UMATILLA PLANNING COMMISSION

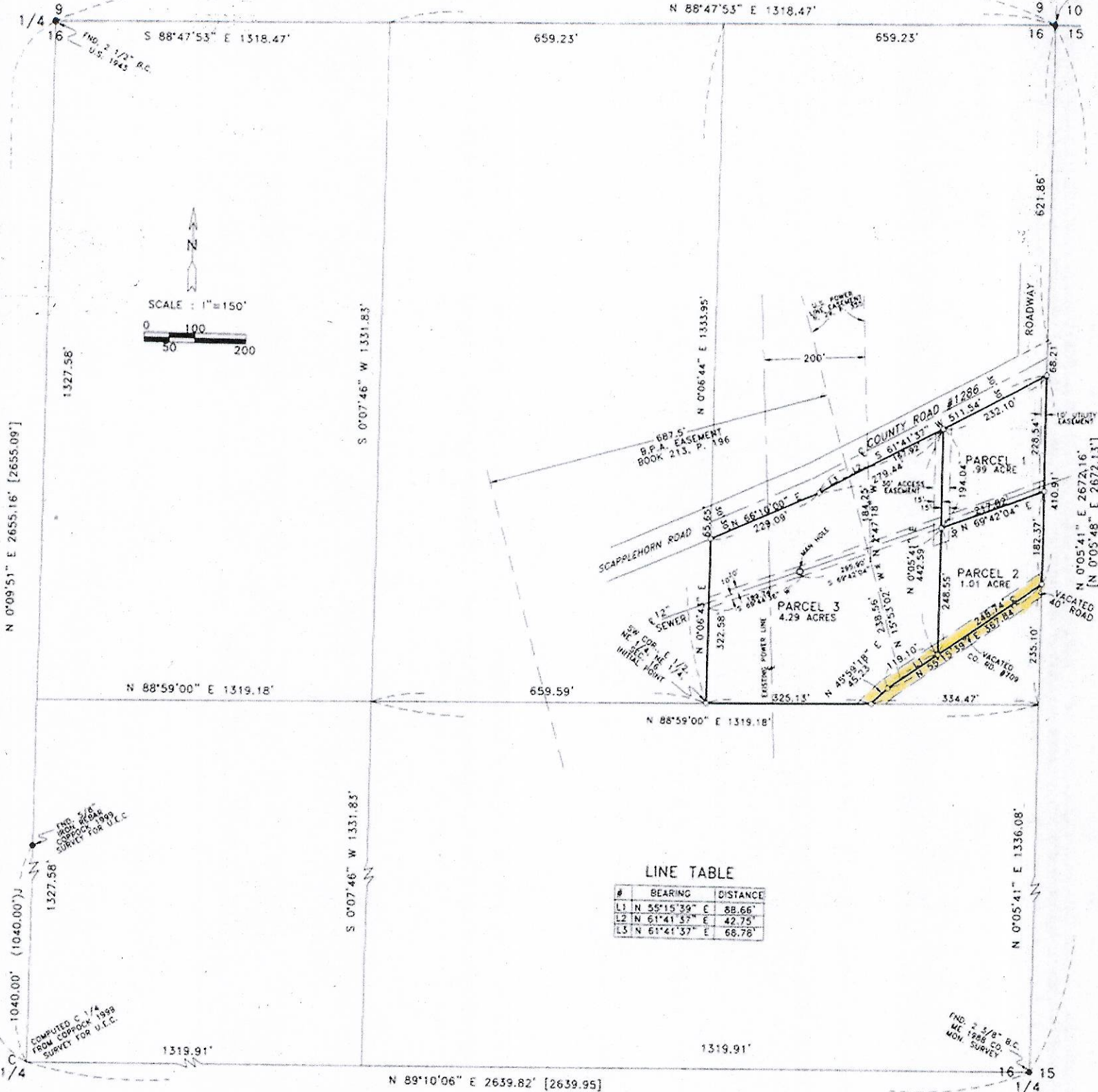
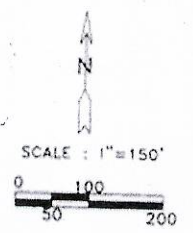
TAXES ARE PAID IN FULL
THIS 22nd DAY OF October, 2001.
Charles J. Schultz
UMATILLA COUNTY TAX COLLECTOR

THIS IS AN EXACT COPY: *G. Dennis Edwards*
G. DENNIS EDWARDS

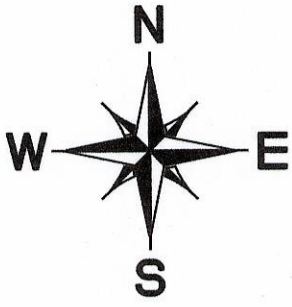
JOB# S0012236
EDWARDS SURVEYING P.O. BOX 763
541-567-3336 HERMISTON, OREGON 97838
DRAWN BY NJF

LINE TABLE

#	BEARING	DISTANCE
L1	N 55°15'39" E	88.66'
L2	N 61°41'52" E	42.75'
L3	N 61°41'37" E	68.76'



SECTION LINE



SCAPLEHORN ROAD

PARCEL 1
PARTITION
PLAT
2001-48

KENNETH &
LINDA
MOON

PARCEL 2
PARTITION
PLAT
2001-48

KENNETH &
LINDA
MOON

PARCEL 3
PARTITION PLAT 2001-48

KENNETH &
LINDA
MOON

ROAD #709 VACATED 10/20/1947

TRACT "A"

STUART
BONNEY

LANDS OF U. S. A.

ROAD NO. 709 -
NOT YET VACATED

LANDS OF U. S. A.

EASEMENT #2
EASEMENT #4
TRACT "B"
STUART
BONNEY
BUCKS LANE

NOTE: HATCHED AREA
REPRESENTS PORTION
OF ROAD #709 THAT HAS
NOT BEEN VACATED

10' WIDE
GRAVEL ROAD

LANDS OF U. S. A.

TRACT "C"
STUART
BONNEY

EASEMENT #1
BUCKS LANE

U. S. HIGHWAY 730

ROAD NO. 709 VACATED 9/7/1948

SCALE 1"=150'

