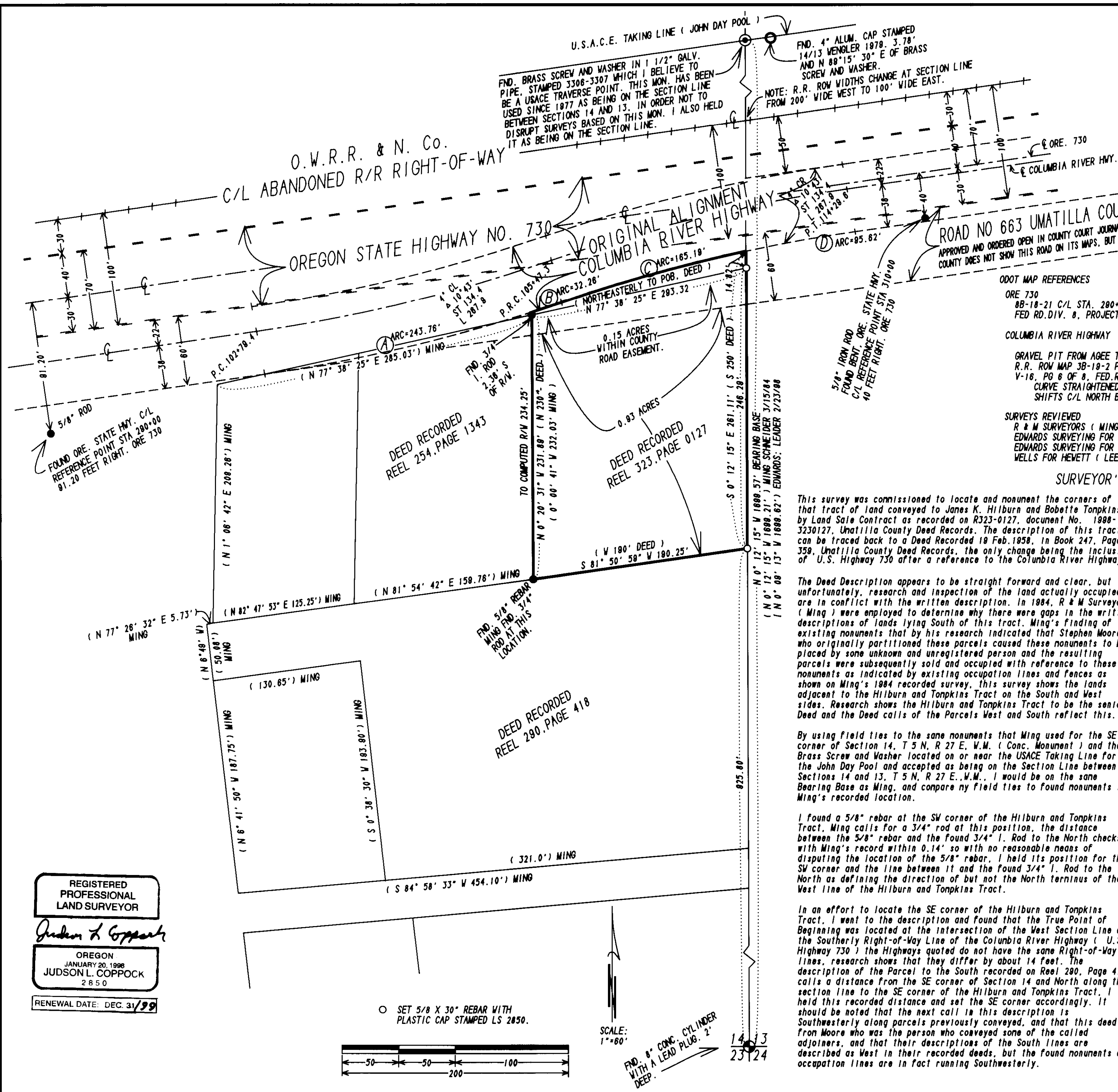


CURVE DATA

	RADIUS	ARC L	CHD L	CHD BEARING	DELTA	TAN
A	1470.40	243.76	243.48	N 77°05'58"E	9°28'54"	122.16
B	1470.40	31.26	31.26	N 71°44'29"E	1°13'05"	15.63
C	1384.40	185.19	165.10	N 74°31'32"E	6°47'18"	82.68
D	1384.40	85.62	85.60	N 78°53'01"E	3°55'44"	47.83



SURVEYOR'S NARRATIVE:

This survey was commissioned to locate and monument the corners of that tract of land conveyed to James K. Hilburn and Bobette Tompkins by Land Sale Contract as recorded on R323-0127, document No. 1988-3230127, Umatilla County Deed Records. The description of this tract can be traced back to a Deed Recorded 18 Feb. 1958. In Book 247, Page 359, Umatilla County Deed Records, the only change being the inclusion of U.S. Highway 730 after a reference to the Columbia River Highway.

I set a 5/8" X 30" rebar with a plastic cap marked L.S. 2850 on the Section line at its intersection with a projection of a line Easterly from the above mentioned 3/4" I. Rod, on a Bearing from Ming's found monuments along Highway 730 as shown in his survey. This Monument is not intended to be the NE corner of the Hilburn and Tompkins tract.

The Deed Description appears to be straight forward and clear, but unfortunately, research and inspection of the land actually occupied are in conflict with the written description. In 1984, R & M Surveyors ( Ming ) were employed to determine why there were gaps in the written descriptions of lands lying South of this tract. Ming's finding of existing monuments that by his research indicated that Stephen Moore who originally partitioned these parcels caused these monuments to be placed by some unknown and unregistered person and the resulting parcels were subsequently sold and occupied with reference to these monuments as indicated by existing occupation lines and fences as shown on Ming's 1984 recorded survey, this survey shows the lands adjacent to the Hilburn and Tompkins Tract on the South and West sides. Research shows the Hilburn and Tompkins Tract to be the senior Deed and the Deed calls of the Parcels West and South reflect this.

In order to determine where the North line of the Hilburn and Tompkins Tract actually is, I obtained the help of Karl Keller at the Salen ODOT offices. He was able to provide numerous drawings of the original location and alignment of the Columbia River Highway, from which I was able to compute the original stationing with some degree of confidence. To complicate matters, the Columbia River Highway was constructed on a Umatilla County Road Right-of-Way ( Road No. 663, 1909 ) the Centerline of which ran Parallel to and 130' Southerly from the O.W.R.R. & N. Co. C/L., this ROW is 60' in width. At the Section Line between Sections 13 and 14, T 5 N, R 27 E, W.M., the R.R. ROW changes from a 200' width West of this line to a 100' width East of the Section line, County Road No. 663 did not change its alignment at the Section line, this leaves a 50' strip of land between the County Road and the R.R. Rights-of -Way. ODOT did make an alignment shift in order to keep its North ROW line and the South R.R. ROW line in common. This was done with a reverse curve of 4' to shift their C/L North 50', this curve begins at sta 102+79.4 as shown. This shift North filled the gap between the County and RR ROWs but the Columbia River Highway still occupied the Northerly 10 feet of County Road No. 663. I used this computed ROW information to determine the North line of the Hilburn and Tompkins Tract. Talks with personnel at the Umatilla County Roadmaster Office, resulted in the fact that the County no longer shows Rd. No. 663 on its maps, it has not as yet vacated that road, also Karl Keller at ODOT although not verified by him, believes the State has not vacated the Columbia River Highway. Today the C/L of Oregon State Highway No. 730 lies 70' Southerly of the C/L of O.W.R.R. and N. Co. and is 70 wide, 40' N of C/L and 30' S of C/L.

By using field ties to the same monuments that Ming used for the SE corner of Section 14, T 5 N, R 27 E, W.M. ( Conc. Monument ) and the Brass Screw and Washer located on or near the USACE Taking Line for the John Day Pool and accepted as being on the Section Line between Sections 14 and 13, T 5 N, R 27 E, W.M., I would be on the same Bearing Base as Ming, and compare my field ties to found monuments to Ming's recorded location.

There is a Latent Ambiguity in the description of the Hilburn and Tompkins Tract. This and other Ambiguities were discovered in the execution of Ming's 1984 survey, in which they were noted and a recommendation was made to correct the Deed Descriptions he found to be in conflict with nonunmented and occupied lines, some were corrected, the Hilburn and Tompkins Tract description was not corrected, I can only recommend that a correction be made to the deed to reflect the actual occupation lines. Also I would suggest that the County and State agencies with overlapping and unused ROW lines be contacted by the Land owners and asked to research their records as to ownership and to renonument their true ROW Lines.

I found a 5/8" rebar at the SW corner of the Hilburn and Tompkins Tract, Ming calls for a 3/4" rod at this position, the distance between the 5/8" rebar and the found 3/4" I. Rod to the North checks with Ming's record within 0.14' so with no reasonable means of disputing the location of the 5/8" rebar, I held its position for the SW corner and the line between it and the found 3/4" I. Rod to the North as defining the direction of but not the North terminus of the West line of the Hilburn and Tompkins Tract.

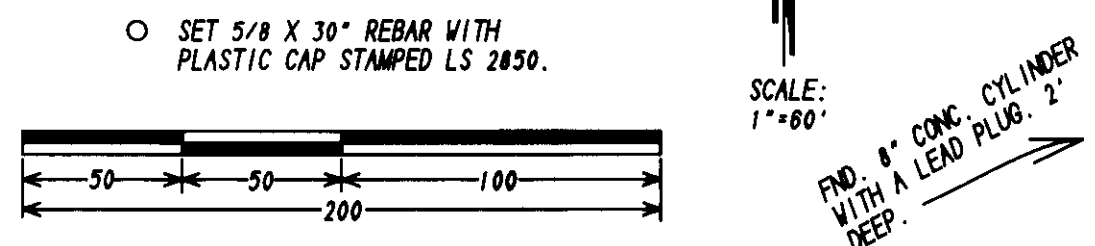
In an effort to locate the SE corner of the Hilburn and Tompkins Tract, I went to the description and found that the True Point of Beginning was located at the intersection of the West Section Line and the Southerly Right-of-Way Line of the Columbia River Highway ( U.S. Highway 730 ) the Highways quoted do not have the same Right-of-Way lines, research shows that they differ by about 14 feet. The description of the Parcel to the South recorded on Reel 290, Page 418, calls a distance from the SE corner of Section 14 and North along the section line to the SE corner of the Hilburn and Tompkins Tract, I held this recorded distance and set the SE corner accordingly. It should be noted that the next call in this description is Southwesterly along parcels previously conveyed, and that this deed is from Moore who was the person who conveyed some of the called adjoiners, and that their descriptions of the South lines are described as West in their recorded deeds, but the found monuments and occupation lines are in fact running Southwesterly.

REGISTERED PROFESSIONAL LAND SURVEYOR

Judson L. Coppock

OREGON JANUARY 20, 1998 JUDSON L. COPPOCK 2850

RENEWAL DATE: DEC. 31/99



SURVEY FOR:

JAMES K. HILBURN AND BOBETTE TOMPKINS

LOCATED IN THE SE 1/4 OF SECTION 14, T 5 N, R 27 E., W.M., UMATILLA COUNTY, OREGON

COPPOCK SURVEYING 0798010  
P.O. BOX 340 7/24/98  
HERMISTON, OR. 97838 541-567-6874  
FAX 567-3081

RECEIVED BY

Umatilla County Surveyor

Date 8-98

Rec'd By [Signature]

No. 98-162-B