

LEGAL DESCRIPTION OF RECORD

TRACT 1: THAT PORTION OF LOT 8, BLOCK "D", IN RAILROAD ADDITION TO THE CITY OF MILTON-FREEWATER, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 8, WHICH IS 10 FEET WEST OF THE SOUTHEAST CORNER THEREOF; THENCE WEST ALONG THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 75 FEET; THENCE NORTH, PARALLEL WITH THE WEST LINE OF LOT 8, A DISTANCE OF 100 FEET; THENCE EAST, PARALLEL WITH THE SOUTH LINE OF LOT 8 TO THE EASTERLY LINE OF SAID LOT 8; THENCE SOUTHEASTERLY TO THE POINT OF BEGINNING.
 ALL BEING EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF UMATILLA, STATE OF OREGON. EXCEPTING ANY AND ALL WATER RIGHTS OF WAY.

TRACT 2: THAT PORTION OF LOT 8, BLOCK "D", IN RAILROAD ADDITION TO THE CITY OF MILTON-FREEWATER, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 85 FEET WEST OF THE SOUTHEAST CORNER THEREOF, SAID POINT BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO MAX WELLS, ET UX, BY DEED RECORDED IN BOOK 326, PAGE 33, DEED RECORDS; THENCE NORTH ALONG THE WEST LINE OF SAID WELLS TRACT, A DISTANCE OF 100 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 6.25 FEET; THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 139 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY LINE OF SAID LOT 8; THENCE SOUTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 8 TO THE NORTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO MAX WELLS, BY DEED RECORDED IN BOOK 326, PAGE 33, DEED RECORDS; THENCE WEST ALONG THE NORTH LINE OF THE SAID WELLS TRACT TO THE TRUE POINT OF BEGINNING.
 ALL BEING EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF UMATILLA, STATE OF OREGON. EXCEPTING ANY AND ALL WATER RIGHTS OF WAY.

TRACT 3: THAT PORTION OF LOT 8, BLOCK "D", IN RAILROAD ADDITION TO THE CITY OF MILTON-FREEWATER, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 85 FEET WEST OF THE SOUTHEAST CORNER THEREOF, SAID POINT BEING THE SOUTHWEST CORNER OF THAT TRACT OF LAND CONVEYED TO MAX WELLS, ET UX, BY DEED RECORDED IN BOOK 326, PAGE 33, DEED RECORDS; THENCE NORTH ALONG THE WEST LINE OF SAID WELLS TRACT, A DISTANCE OF 100 FEET; THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 8, A DISTANCE OF 6.25 FEET; THENCE NORTH AND PARALLEL WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 15 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUE NORTH, PARALLEL WITH THE WEST LINE OF SAID LOT 8, A DISTANCE OF 124 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF SAID 8; THENCE NORTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 8 TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH ALONG THE WESTERLY LINE OF SAID LOT 8, A DISTANCE OF 200 FEET; THENCE SOUTHEASTERLY IN A STRAIGHT LINE TO THE TRUE POINT OF BEGINNING.
 ALL BEING EAST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF UMATILLA, STATE OF OREGON. EXCEPTING ANY AND ALL WATER RIGHTS OF WAY.

LEGAL DESCRIPTION OF TRACT TO BE DEEDED TO THE OWNERS OF TAX LOT 2804 FROM THE ABEL'S.

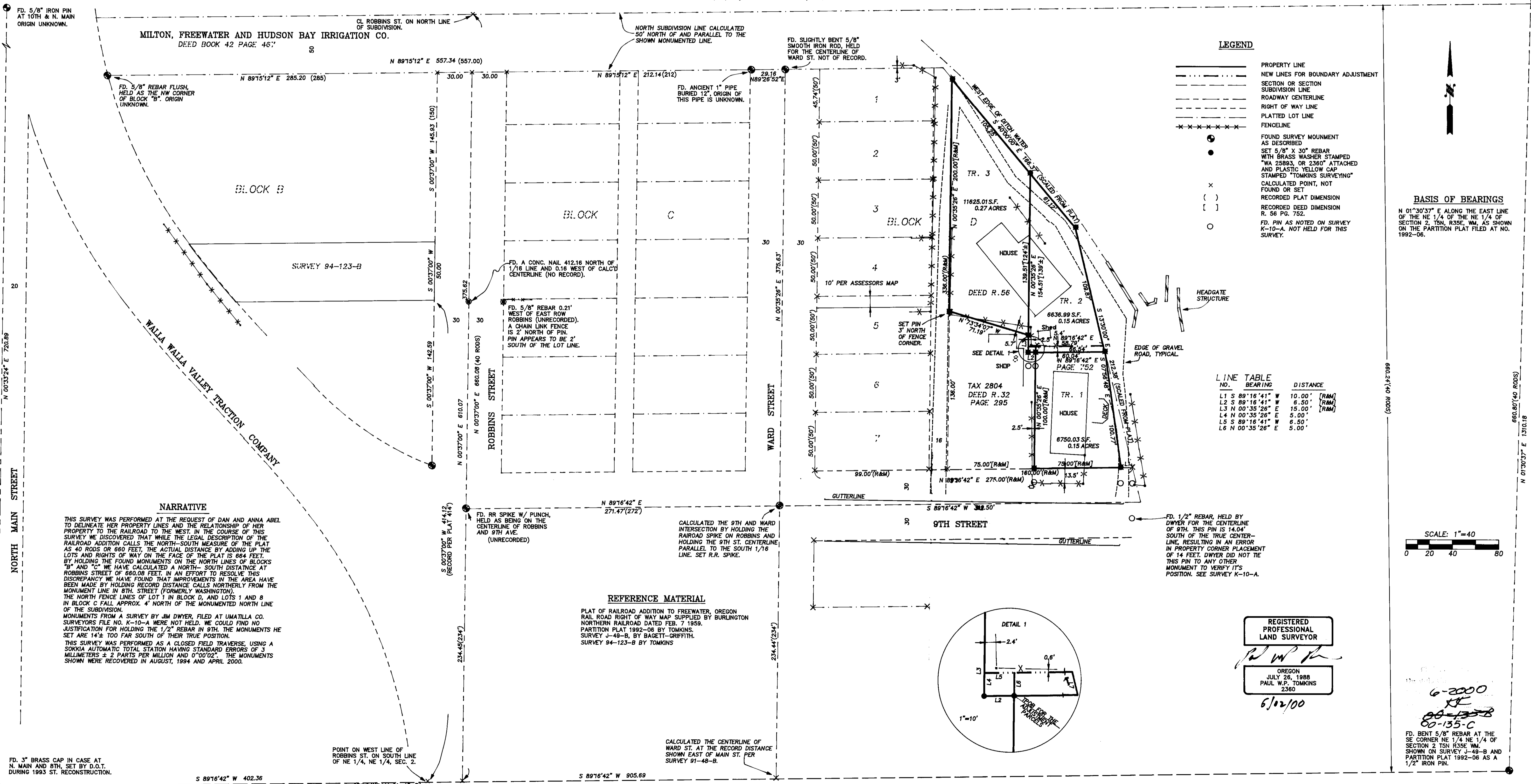
A tract of land located in Lot 8 in Block D of Railroad Addition to the City of Milton-Freewater, being a portion of the Northeast quarter of the Northeast quarter of Section 2, Township 5 North, Range 35 East, W.M., Umatilla County, Oregon, described more particularly as follows:
 Commencing at the Southeast corner of said Block D;
 THENCE South 89 degrees 16 minutes 42 seconds West for a distance of 85.00 feet to the Southeast corner of those lands described in the deed filed Reel 32, Page 295, Records of Umatilla County;
 THENCE North 00 degrees 35 minutes 26 seconds East for a distance of 100.00 feet along the East line of said lands to the True Point of Beginning for this legal description;
 THENCE South 89 degrees 16 minutes 42 seconds West for a distance of 6.50 feet along the North line of said lands;
 THENCE North 00 degrees 35 minutes 26 seconds East for a distance of 5.00 feet along the East line of said lands;
 THENCE North 89 degrees 16 minutes 42 seconds East for a distance of 6.50 feet parallel to South line of said Block D;
 THENCE South 00 degrees 35 minutes 26 seconds West for a distance of 5.00 feet to the Point of Beginning.
 Said property contains 32.5 sq. ft., more or less.

LEGAL DESCRIPTION OF LAND TO BE EXCEPTED FROM TRACT 2 AND ADDED TOGETHER WITH TRACT 1

A tract of land located in Lot 8 in Block D of Railroad Addition to the City of Milton-Freewater, being a portion of the Northeast quarter of the Northeast quarter of Section 2, Township 5 North, Range 35 East, W.M., Umatilla County, Oregon, described more particularly as follows:
 Commencing at the Southeast corner of said Block D;
 THENCE South 89 degrees 16 minutes 42 seconds West for a distance of 85.00 feet to the Southeast corner of those lands described in the deed filed Reel 32, Page 295, Records of Umatilla County;
 THENCE North 00 degrees 35 minutes 26 seconds East for a distance of 100.00 feet along the East line of said lands to the True Point of Beginning for this legal description;
 THENCE North 00 degrees 35 minutes 26 seconds East for a distance of 5.00 feet along the Northerly projection of said East line;
 THENCE North 89 degrees 16 minutes 42 seconds East for a distance of 58.79 feet parallel to the South line of said Block D to a point in the Easterly line thereof;

THENCE South 13 degrees 30 minutes 00 seconds East for a distance of 5.13 feet along said East line to the Northeast corner of Tract 1 of those lands described in Reel 56 at page 752, Records of Umatilla County;
 THENCE South 89 degrees 16 minutes 42 seconds West for a distance of 60.04 feet along the North line of said Tract 1 to the Point of Beginning.
 Said property contains 297 sq. ft., more or less.

2 1/2" BRASS CAP ON 3" PIPE AT THE NE CORNER OF SECTION 2 T5N R35E W.M. NOT RECOVERED AS PART OF THIS SURVEY.



FD. 5/8" IRON PIN AT 10TH & N. MAIN ORIGIN UNKNOWN.

FD. 5/8" REBAR FLUSH HELD AS THE NW CORNER OF BLOCK "B". ORIGIN UNKNOWN.

FD. SLIGHTLY BENT 5/8" SMOOTH IRON ROD, HELD FOR THE CENTERLINE OF WARD ST. NOT OF RECORD.

FD. ANCIENT 1" PIPE BURIED 12" DEEP. ORIGIN OF THIS PIPE IS UNKNOWN.

FD. A CONC. NAIL 412.16 NORTH OF 1/16 LINE AND 0.16 WEST OF CALC'D CENTERLINE (NO RECORD).

FD. 5/8" REBAR 0.21' WEST OF EAST ROW ROBBIENS (UNRECORDED). A CHAIN LINK FENCE IS 2' NORTH OF PIN. PIN APPEARS TO BE 2' SOUTH OF THE LOT LINE.

FD. RR SPIKE W/ PUNCH, HELD AS BEING ON THE CENTERLINE OF ROBBIENS AND 9TH AVE. (UNRECORDED)

FD. BENT 5/8" REBAR HELD BY DWYER FOR THE CENTERLINE OF 9TH. THIS PIN IS 14.04" SOUTH OF THE TRUE CENTERLINE, RESULTING IN AN ERROR IN PROPERTY CORNER PLACEMENT OF 14 FEET. DWYER DID NOT TIE THIS PIN TO ANY OTHER MONUMENT TO VERIFY ITS POSITION. SEE SURVEY K-10-A.

MILTON, FREEWATER AND HUDSON BAY IRRIGATION CO.
 DEED BOOK 42 PAGE 467

WALLA WALLA VALLEY TRACTION COMPANY

ROBBIENS STREET

WARD STREET

9TH STREET

GUTTERLINE

HOUSE

SHIP

DEED R. 56

TAX 2804 DEED R. 32 PAGE 295

HOUSE

DECK

HEADGATE STRUCTURE

EDGE OF GRAVEL ROAD, TYPICAL

NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF DAN AND ANNA ABEL TO DELINEATE HER PROPERTY LINES AND THE RELATIONSHIP OF HER PROPERTY TO THE RAILROAD TO THE WEST. IN THE COURSE OF THIS SURVEY WE DISCOVERED THAT WHILE THE LEGAL DESCRIPTION OF THE RAILROAD ADDITION CALLS THE NORTH-SOUTH MEASURE OF THE PLAT AS 40 RODS OR 660 FEET, THE ACTUAL DISTANCE BY ADDING UP THE LOTS AND RIGHTS OF WAY ON THE FACE OF THE PLAT IS 664 FEET. BY HOLDING THE FOUND MONUMENTS ON THE NORTH LINES OF BLOCKS "B" AND "C" WE HAVE CALCULATED A NORTH-SOUTH DISTANCE AT ROBBIENS STREET OF 660.00 FEET. IN AN EFFORT TO RESOLVE THIS DISCREPANCY WE HAVE FOUND THAT IMPROVEMENTS IN THE AREA HAVE BEEN MADE BY HOLDING RECORD DISTANCE CALLS NORTHERLY FROM THE MONUMENT LINE IN 9TH STREET (FORMERLY WASHINGTON). THE NORTH FENCE LINES OF LOT 1 IN BLOCK D, AND LOTS 1 AND 8 IN BLOCK C FALL APPROX. 4" NORTH OF THE MONUMENTED NORTH LINE OF THE SUBDIVISION.

MONUMENTS FROM A SURVEY BY JIM DWYER, FILED AT UMATILLA CO. SURVEYORS FILE NO. K-10-A WERE NOT HELD. WE COULD FIND NO JUSTIFICATION FOR HOLDING THE 1/2" REBAR IN 9TH. THE MONUMENTS HE SET ARE 14.2" TOO FAR SOUTH OF THEIR TRUE POSITION.

THIS SURVEY WAS PERFORMED AS A CLOSED FIELD TRAVERSE, USING A SOKKIA AUTOMATIC TOTAL STATION HAVING STANDARD ERRORS OF 3 MILLIMETERS ± 2 PARTS PER MILLION AND 0"00"02". THE MONUMENTS SHOWN WERE RECOVERED IN AUGUST, 1994 AND APRIL 2000.

REFERENCE MATERIAL

PLAT OF RAILROAD ADDITION TO FREEWATER, OREGON RAIL ROAD RIGHT OF WAY MAP SUPPLIED BY BURLINGTON NORTHERN RAILROAD DATED FEB. 7 1959.

PARTITION PLAT 1992-08 BY TOMKINS SURVEY J-49-B, BY BAGGETT-GRIFFITH.

SURVEY 94-123-B BY TOMKINS

CALCULATED THE 9TH AND WARD INTERSECTION BY HOLDING THE RAILROAD SPIKE ON ROBBIENS AND HOLDING THE 9TH ST. CENTERLINE PARALLEL TO THE SOUTH 1/16 LINE. SET R.R. SPIKE.

CALCULATED THE CENTERLINE OF WARD ST. AT THE RECORD DISTANCE SHOWN EAST OF MAIN ST. PER SURVEY 91-48-B.

DETAIL 1

1"=10'

FOR USE FOR THE POLYMERIZATION

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 JULY 26, 1988
 PAUL W.P. TOMKINS
 2360

6/10/00

6-2000
 88-135-B
 00-135-C

FD. BENT 5/8" REBAR AT THE SE CORNER NE 1/4 NE 1/4 OF SECTION 2 T5N R35E W.M. SHOWN ON SURVEY J-48-B AND PARTITION PLAT 1992-06 AS A 1/2" IRON PIN.

BASIS OF BEARINGS

N 01°30'37" E ALONG THE EAST LINE OF THE NE 1/4 OF THE NE 1/4 OF SECTION 2, T5N, R35E, W.M. AS SHOWN ON THE PARTITION PLAT FILED AT NO. 1992-06.

SCALE: 1"=40'

0 20 40 80

ADABELDWG

SHEET 1 OF 1