

RECORD OF SURVEY

BOUNDARY SURVEY

AFFIDAVIT OF CORRECTIONS TO SURVEYS

RECORDED AT 04-116-B, 04-83-B & 04-82-B

IN THE SE 1/4 OF SECTION 13
TOWNSHIP 5 NORTH, RANGE 27
EAST OF THE W.M., CITY OF UMATILLA
UMATILLA COUNTY, OREGON

CLIENTS: **JOICE I. OVERTON**
28501 SOUTH SHORE DRIVE
UMATILLA, OREGON
97882

JIM & JAN MAGOTEAUX
28493 SOUTH SHORE DRIVE
UMATILLA, OREGON
97882

ART COLLINS
28501 SOUTH SHORE DRIVE
UMATILLA, OREGON
97882

SURVEYOR'S NARRATIVE

THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF AN AFFIDAVIT OF CORRECTION ON 3 BOUNDARY SURVEYS I PERFORMED IN MARCH AND MAY OF 2004 ALONG SHORE DRIVE LOCATED IN UMATILLA, OREGON.

PRIOR TO REEVALUATING THIS SURVEY I LOCATED ALL PROPERTY CORNERS AND FENCE LINES IN THE GENERAL VICINITY AND DURING THE COURSE OF MY CALCULATIONS I HAVE FOUND THAT THERE ARE CERTAIN AMBIGUITIES AND DISCREPANCIES TYING PROPERTIES IN FROM WEST TO EAST OR VISA-VERSA, IN ADDITION THERE ARE NUMEROUS MATHEMATICAL ERRORS ON THE RIGHT OF WAY MAP FOR BOTH THE RAILROAD AND HIGHWAY 750 AND THERE ARE A FEW ERRORS IN THE RECORDED DEEDS. THE SOUTHERLY CORNERS OF PARTITION PLAT 1999-36 LOCATED TO THE EAST AND THE SOUTHERLY CORNERS OF PARTITION PLAT 1998-14 TO THE WEST WERE BOTH HELD AS ESTABLISHING THE NORTHERLY RIGHT OF WAY LINE OF SHORE DRIVE.

I CONSULTED WITH LS #02817 IN REGARDS TO P.P. 1999-36 AND HE INFORMED ME THAT HE IS COMFORTABLE WITH HIS CALCULATIONS AND THE LOCATIONS OF SAID PARTITION LINES.

UTILIZING P.P. 1998-14 (WEST) AND P.P. 1999-36 (EAST) IT APPEARS THERE IS A ± 5' GAP BETWEEN SAID PARTITIONS ALONG THE SOUTH LINE (NORTHERLY R.O.W. LINE OF SHORE DRIVE).

I CAN CONCLUDE WITH CERTAIN CONFIDENCE THE SLIGHT DIFFERENCE IN THE LOCATIONS FROM MY COMPUTED LOCATION AND THE FOUND LS #951 MONUMENTS ARE THAT LS #951 DID NOT TAKE INTO CONSIDERATION THE FOUND MONUMENTS ON PARTITION PLAT 1999-36 AT THE NORTHERLY ROW LINE OF SHORE DRIVE. IT APPEARS THAT LS #951 UTILIZED THE RIGHT OF WAY MAPS AND HIS PREVIOUSLY SET CORNERS ON PARTITION PLAT 1998-14 ONLY FOR THE DETERMINATION OF THE NORTH RIGHT OF WAY LINE OF SHORE DRIVE.

THE PROPERTY FOR THE ABANDONED RAILROAD IS HELD IN FEE TITLE BY SAID RAILROAD. IT IS MY SUGGESTION THAT THOSE PROPERTY OWNERS WHO ARE ADJACENT TO THE ABANDONED RAILROAD CONTACT SAID RAILROAD FOR ACQUIRING TITLE TO THAT ABANDONED PORTION, SEE REEL 200 PAGES 245-247.

I CALCULATED THE BOUNDARIES OF THE PROPERTY AS FOLLOWS:

- 1) THE EASTERLY CORNERS OF THE PROPERTY AS DESCRIBED IN BOOK 358 PAGE 0373 (PECKHAM) WERE COMPUTED AT 100.00' AS PER DEED AT RIGHT ANGLES TO THE PROPERTY I SURVEYED FOR METCALF HOLDING THE FOUND MONUMENTS ALONG THE U.S. CORPS TAKING LINE AND THE COMPUTED NORTHERLY RIGHT OF WAY LINE OF SHORE DRIVE FROM P.P. 1998-14 (WEST) AND P.P. 1999-36 (EAST).
- 2) THE WESTERLY CORNERS OF THE PROPERTY AS DESCRIBED ON REEL 434 PAGE 0038 (OVERTON) WERE COMPUTED AT 168.7' AS PER DEED AT RIGHT ANGLES TO PARCEL 2 OF PARTITION PLAT 1999-36.
- 3) THE NORTHEASTERLY CORNER OF THE PROPERTY AS DESCRIBED IN BOOK 349 PAGE 0237 (D'ESTRELLA) ALSO THE NORTHWESTERLY CORNER OF THE PROPERTY AS DESCRIBED ON REEL 338 PAGE 0710 (MAGOTEAUX) WAS COMPUTED AT MIDWAY BETWEEN THE COMPUTED NORTHEASTERLY CORNERS OF THE PROPERTY AS DESCRIBED IN BOOK 358 PAGE 0373 (PECKHAM) AND THE NORTHWESTERLY CORNER OF THE PROPERTY AS DESCRIBED ON REEL 434 PAGE 0038 (OVERTON).
- 4) THE SOUTHEASTERLY CORNER OF THE PROPERTY AS DESCRIBED IN BOOK 349 PAGE 0237 (D'ESTRELLA) ALSO THE SOUTHWESTERLY CORNER OF THE PROPERTY AS DESCRIBED ON REEL 338 PAGE 0710 (MAGOTEAUX) WAS SET AT THE LINE OF OCCUPATION OF A SMALL NORTH-SOUTH FENCE LINE ON THE NORTHERLY RIGHT OF WAY LINE OF SHORE DRIVE PREVIOUSLY COMPUTED FROM P.P. 1999-36 (EAST) AND P.P. 1998-14 (WEST).

THE PROPERTY BOUNDARIES THAT FALL SOUTH OF THE SOUTHERLY RIGHT OF WAY LINE OF SHORE DRIVE ARE ESTABLISHED PERPENDICULAR TO THE ABANDONED PORTION OF THE RAILROAD TRACKS.

THIS SURVEY WAS ACCOMPLISHED USING THE TOPCON HYPER GPS SYSTEM WITH A LEGACY H RECEIVER. THE SOUTH 1/4 CORNER OF SECTION 13 WAS OCCUPIED BY THE BASE UNIT. THE BASIS OF BEARING ON THIS SURVEY IS BETWEEN THE SECTION CORNER COMMON TO SECTION 13, 14, 23 & 24 OF TOWNSHIP 5 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN AND THE SOUTH 1/4 CORNER OF SECTION 13 OF TOWNSHIP 5 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN, AND IS BASED ON A PROJECT THIS FIRM PREVIOUSLY PERFORMED FOR UMATILLA COUNTY IN 2006. THE CORNERS WERE SET WITH A TRIMBLE S-6 ROBOTIC TOTAL STATION.

LEGAL DESCRIPTION OF RECORD (OVERTON)

THE EASTERLY 168.7 FEET AT RIGHT ANGLES FROM THE EAST LINE OF THE FOLLOWING DESCRIBED TRACT: ALL THAT PORTION OF LOT 2, SECTION 13, TOWNSHIP 5 NORTH, RANGE 27, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID GOV. LOT 2; THENCE NORTH ALONG THE WEST LINE OF SAID GOV. LOT 2 A DISTANCE OF 397.5 FEET; THENCE NORTH 81°51' EAST A DISTANCE OF 662.91 FEET; THENCE NORTH 78°29' EAST A DISTANCE OF 164.3 FEET; THENCE NORTH TO THE LINE OF ORDINARY HIGH WATER OF THE COLUMBIA RIVER AND THE TRUE POINT OF BEGINNING; THENCE SOUTH TO THE NORTHERLY RIGHT OF WAY LINE OF THE OREGON-WASHINGTON RAILROAD AND NAVIGATION COMPANY; THENCE NORTH 78°29' EAST A DISTANCE OF 468.7 FEET; THENCE NORTH TO THE SAID LINE OF ORDINARY HIGH WATER; THENCE WESTERLY ALONG SAID LINE OF ORDINARY HIGH WATER TO THE POINT OF BEGINNING; EXCEPTING THEREFROM ALL THAT PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT ON THE WEST LINE OF SAID SECTION 13, SAID POINT LYING NORTH A DISTANCE OF 1700 FEET FROM THE SOUTHWEST CORNER THEREOF; THENCE NORTH 80°05' EAST (OREGON COORDINATE SYSTEM, NORTH ZONE) A DISTANCE OF 2500 FEET; THENCE NORTH 77°35' EAST (OREGON COORDINATE SYSTEM NORTH ZONE) A DISTANCE OF 1700 FEET TO THE POINT OF TERMINUS OF THE ABOVE DESCRIBED LINE. ALL BEING EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF UMATILLA AND STATE OF OREGON. SUBJECT TO ANY AND ALL WATER RIGHTS OF WAY AND ROADS. SUBJECT TO AND EXCEPTING: 1. EASEMENTS, LEVIES AND ASSESSMENTS OF THE WEST EXTENSION IRRIGATION DISTRICT.

LEGAL DESCRIPTION OF RECORD (MAGOTEAUX)

THAT PORTION OF GOVERNMENT LOT 2 IN SECTION 13, TOWNSHIP 5 NORTH, RANGE 27, AND DESCRIBED AS BEGINNING AT A POINT WHICH BEARS NORTH 387.5 FEET AND NORTH 81°51' EAST 662.91 FEET AND NORTH 78°29' EAST 364.3 FEET FROM SOUTHWEST CORNER OF SAID GOVERNMENT LOT 2 AND THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING SOUTHEAST CORNER OF THAT TRACT CONVEYED TO FRANK D'ESTRELLA, ET UX, BY DEED RECORDED IN BOOK 304, PAGE 392, DEED RECORDS; THENCE NORTH ALONG EAST LINE OF SAID D'ESTRELLA TRACT AND SAID EAST LINE EXTENDED TO THE NORTH LINE OF THAT TRACT CONVEYED TO NELLIE B. HOYT, BY DEED RECORDED IN BOOK 270, PAGE 732, DEED RECORDS; THENCE NORTH 77°35' EAST, OREGON COORDINATE SYSTEM NORTH ZONE, ALONG NORTH LINE OF SAID HOYT TRACT, 100 FEET, MORE OR LESS, TO A POINT WHICH IS PARALLEL WITH AND 168.7 FEET WESTERLY, MEASURED ALONG SOUTH LINE OF SAID HOYT TRACT, FROM EAST LINE OF SAID HOYT TRACT; THENCE SOUTH ALONG SAID LINE TO NORTHERLY RIGHT OF WAY LINE OF OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY; THENCE SOUTH 78°20' WEST ALONG SAID RIGHT OF WAY LINE, 100 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

ALL BEING EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

SUBJECT TO:

1. 1998-1999 TAXES, WHICH ARE A LIEN NOT YET DUE AND PAYABLE. (AMOUNTS HAVE NOT YET BEEN DETERMINED)
2. THE PREMISES HEREIN DESCRIBED ARE WITHIN THE BOUNDARIES OF THE WEST EXTENSION IRRIGATION DISTRICT AND THIS PROPERTY IS THEREFORE SUBJECT TO ALL EASEMENTS, LEVIES AND ASSESSMENTS THEREOF.

LEGAL DESCRIPTION OF RECORD (COLLINS)

PARCEL 2, PARTITION PLAT 1999-36IN SECTION 13, TOWNSHIP 5 NORTH, RANGE 27, EAST OF THE WILLAMETTE MERIDIAN IN UMATILLA COUNTY, OREGON; FILED JULY 13, 1999, INSTRUMENT NO. 1999-3540248, PLAT RECORDS OF UMATILLA COUNTY, OREGON.

LEGEND

- SET 5/8" x 30" IRON REBAR WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48509"
- FOUND 5/8" x 30" IRON REBAR WITH YELLOW PLASTIC CAP STAMPED "PLS LS 48509"
- ◎ FOUND 1 1/2" PIPE WITH A SCREW UNITED STATES CORPS OF ENGINEERS
- ⊗ FOUND 5/8" IRON REBAR WITH YELLOW PLASTIC CAP STAMPED "GBW-02817LS"
- ⊙ FOUND MONUMENT AS NOTED
- ⊠ FOUND 4" ALUM. CAP MARKED 13-7. WENGLER 1979
- × COMPUTED POINT

DEEDS

- REEL 200 PAGE 243-247
- REEL 338 PAGE 0710
- BOOK 358 PAGE 0373
- BOOK 349 PAGE 0237
- REEL 354 PAGE 0649
- REEL 434 PAGE 0038

SURVEYS

- OREGON STATE HIGHWAY DEPARTMENT LOCATION LINE MAP OF THE IRRIGON-UMATILLA SECTION OF THE COLUMBIA RIVER HIGHWAY.
- ROGERS SURVEY FOR MICHAEL BUILDING & DESIGN, PARTITION PLAT 1999-36 (99-128-B)
- CH2M HILL INC. SURVEY FOR CORPS OF ENGINEERS (Q-952-B)
- PRIMM SURVEY FOR UMATILLA COUNTY (06-461-B)
- EDWARDS SURVEY FOR COOMBS, PARTITION PLAT 1998-14 (98-84-B)

NOTES

- () RECORD AS PER PARTITION PLAT 1999-36
- (C) COMPUTED
- (D) DEED

REGISTERED PROFESSIONAL LAND SURVEYOR

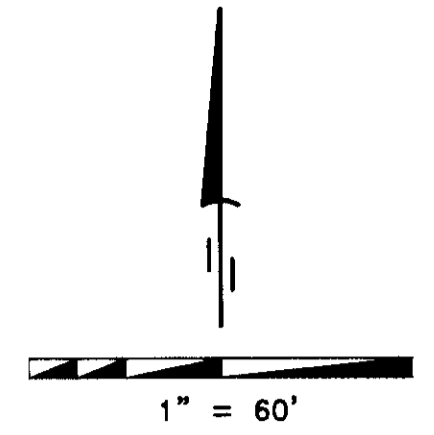
BLP

OREGON
JULY 13, 1999
BRIT L. PRIMM
48509

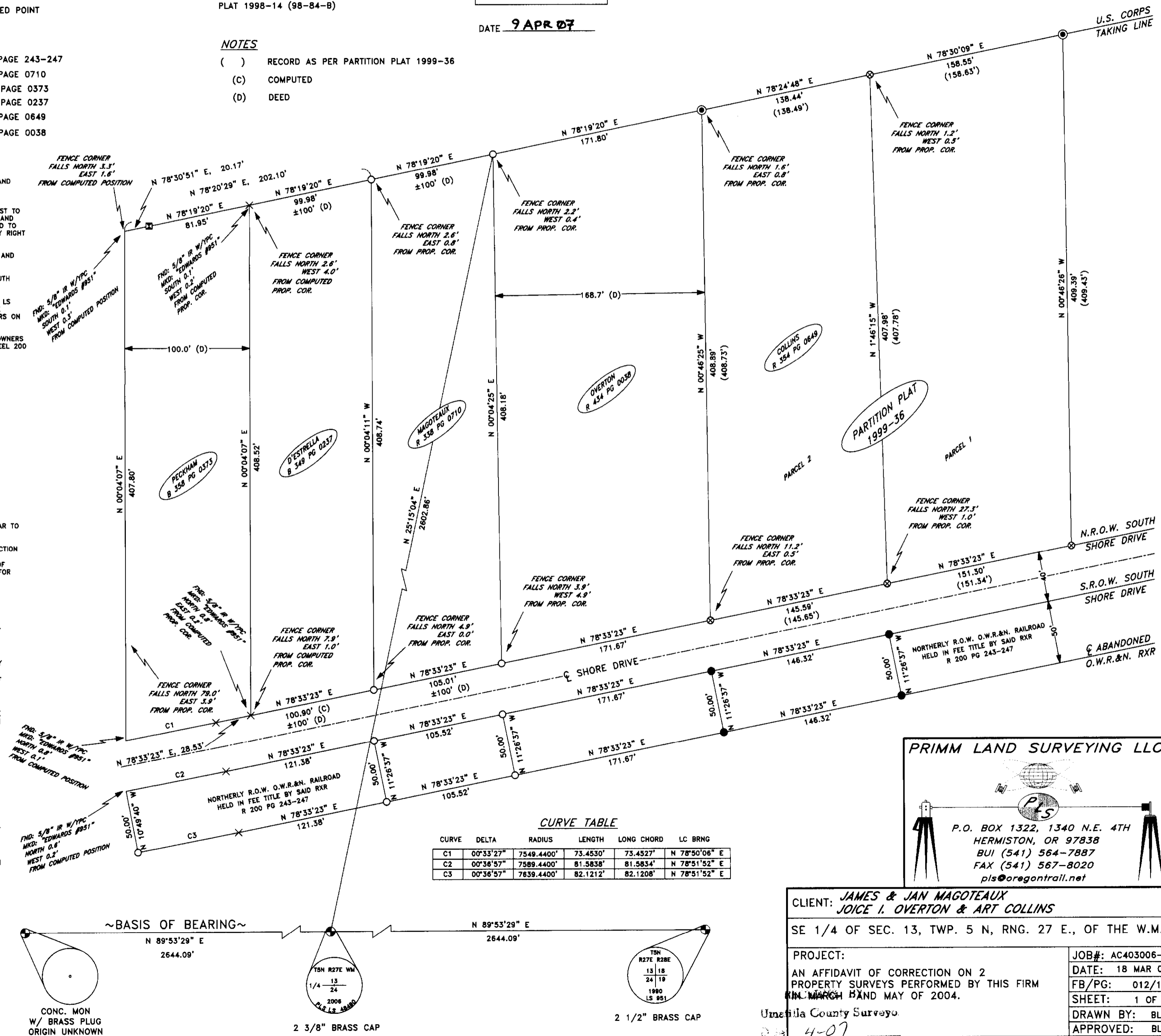
EXPIRATION DATE: 12/31/08

SURVEYOR'S CERTIFICATION

I, BRIT L. PRIMM, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION IN MARCH 2007, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING LAW, AS ESTABLISHED BY ORS CHAPTER 92. AND HAVE SET THE PROPER MONUMENTS.



DATE 9 APR 07



PRIMM LAND SURVEYING LLC

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CLIENT: **JAMES & JAN MAGOTEAUX**
JOICE I. OVERTON & ART COLLINS

SE 1/4 OF SEC. 13, TWP. 5 N, RNG. 27 E., OF THE W.M.

PROJECT: AN AFFIDAVIT OF CORRECTION ON 2 PROPERTY SURVEYS PERFORMED BY THIS FIRM IN MARCH AND MAY OF 2004.

Umatilla County Surveyor

JAMES & JAN MAGOTEAUX
JOICE I. OVERTON & ART COLLINS

4-07
07-54-B

