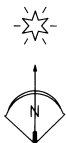


LEGEND

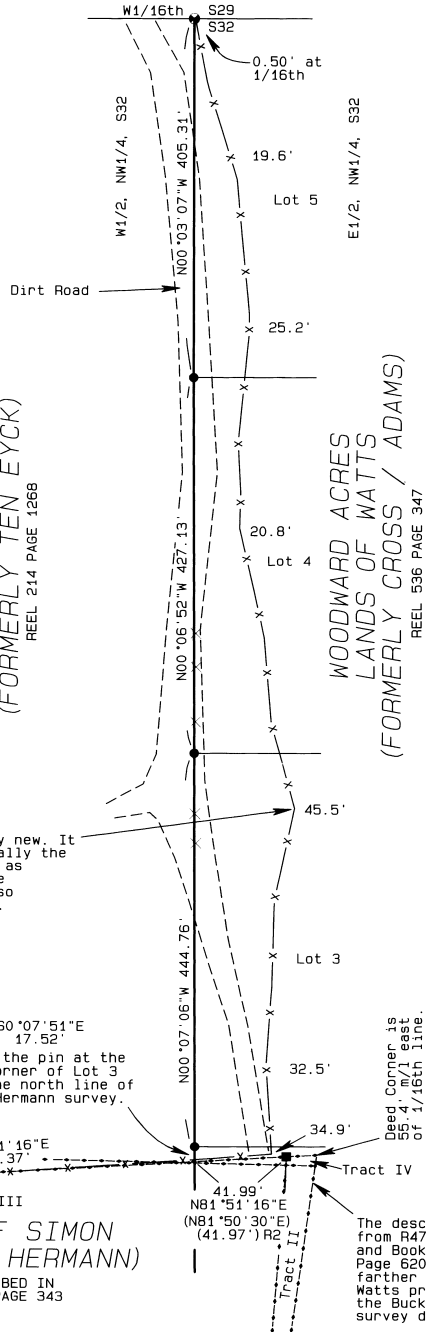
- FOUND 2 1/2" AL MONUMENT SET UNDER SURVEY 85-96-B
- FOUND A 5/8" REBAR WITH A YELLOW PLASTIC CAP FROM 08-168-B
- FOUND A 5/8" IRON REBAR WITH PLASTIC CAP "BGA SURVEY" FROM R-142-B
- MONUMENT NOT SEARCHED FOR OR VISITED
- × STEEL FENCE POST SET IN ROAD
- TRACT BOUNDARIES PER THE SIMON DEED

- R1 COUNTY SURVEY I-156-B
- R2 COUNTY SURVEY R-142-B
- R3 COUNTY SURVEY 84-009-B
- R4 COUNTY SURVEY 85-96-B
- R5 COUNTY SURVEY 08-168-B "WOODWARD ACRES" & OTHERS BY TOMKINS



FENCE LINE DETAIL

NOT TO SCALE



LANDS OF KIBLER
(FORMERLY TEN EYCK)
REEL 214 PAGE 1268

WOODWARD ACRES
LANDS OF WATTS
(FORMERLY CROSS / ADAMS)
REEL 536 PAGE 347

Note: The current fence is fairly new. It appears to be built in substantially the same location as the prior fence as there are several stumps that are used as fence posts that were also used as posts in the prior fence.

Note: The tract numbers are from the Simon Deed.
This distance is between the Hermann pins.
50°07'51"E
17.52'

LANDS OF SIMON
(FORMERLY HERMANN)
AS DESCRIBED IN
REEL 472 PAGE 343

The descriptions from R472, P343 and Book 307 Page 620 encroach farther into the Watts property than the Buck Hermann survey does.

NARRATIVE OF SURVEY

This survey was performed at the request of Mr. Jamie Kibler. The purpose of this survey was to review the survey information shown on the Plat of Phase 1 of Woodward Acres and to examine the title history of the land along the 1/16th line as shown hereon.

My review of the survey data for Woodward Acres disclosed only small deviations between the reported locations and my measured locations of the subdivision monuments as shown hereon. I believe that some of the deviation is due to the fact that the monument at the center - west 1/16th corner was not actually tied by the subdivision survey or any other previous surveys of the Watts property. The main problems with the Woodward Acres plat are the failure to locate and disclose the monumentation from the Buck Hermann survey (R-142-B) and the failure to identify the title encroachments along the 16th line disclosed by the Simon deed.

Those encroachments are discussed as follows:
The west half and the east half of the northwest quarter of Section 32 were patented in 1903 and 1906 respectively by different owners. The 1/16th line remained the only title line until 1962 when Mr. Harry Hunter sold the west half of the northwest quarter to the Ten Eyck's by the deed recorded in Book 267, Page 14. In that conveyance Mr. Hunter reserved the piece of the land that is now the Simon property merely by calling for a tract 265' by 535' out of the southeast corner thereof. This description didn't give any bearings to identify which way the property should lay.

The next deed by Mr. Hunter, Book 288, Page 17, identified the direction of the lines and a point of beginning based on the "old" Weston - Elgin Highway for the Simon property. This description was not based on ties to the actual aliquot part lines so it could not be known if it encroached on the adjoiner to the east. This description was used in subsequent deeds up through the deed in Book 307, Page 620 to L.W. Hermann in 1970.

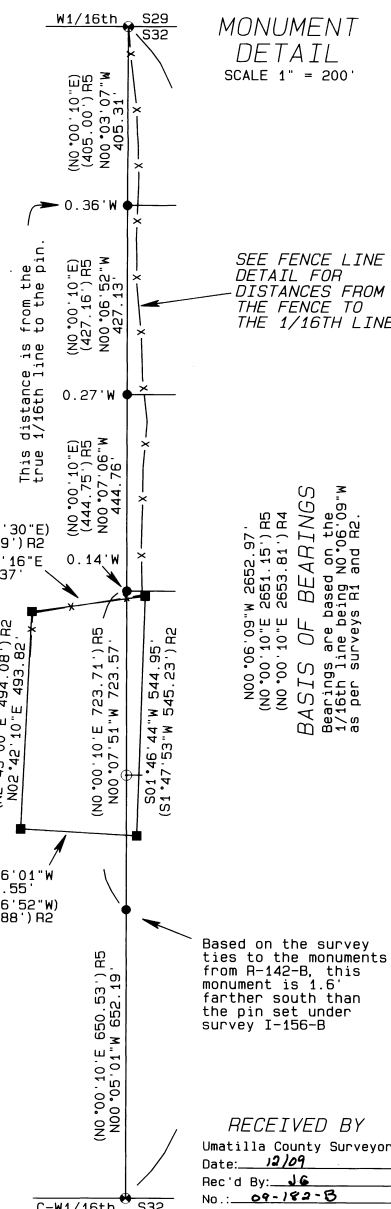
In June of 1980 the Hermanns had their property surveyed. See survey R-142-B. That survey stated that the Hermann's knew that their title line and their possessory lines were not the same. That survey also states that the fence lines were "long standing" and that all the neighbors were accepting the fences by boundary agreement. However, no deeds were ever recorded to enter that agreement into the title record.

Subsequent to the Hermann's survey, the Hermanns entered into a contract of sale which called for the Hermann survey in the legal description. See Reel 84, Page 1412. The vendees in that contract, Gerald and Marlene Hawley, were divorced and in 1988 the decree for the distribution of the property (See Reel 174, Page 1013) used the same description with the call for the Hermann survey. When the contract between the Hermanns and Hawleys was satisfied, the deed filed (see Reel 159, Page 1379) and all subsequent deeds up to the current one used a mixture of descriptions of 4 different tracts. The tract descriptions were apparently written in an attempt to describe the "pre-survey" boundary and also the part of the Hermann survey that lies outside of the original Hunter tract. The current descriptions cite the deed from Book 307, Page 620 and the contract of sale from Reel 84, Page 1412 and thus still incorporate the Hermann survey in the chain of title.

As stated above, the Hunter description called for a point of beginning based on the intersection of the "old" and "new" highways, this is a nebulous location as the "old" highway has no record that it was ever a highway and there is no record right of way width. The current deed, however, states that the southeast corners of the descriptions from Book 307, Page 620 and Reel 84, Page 1412 are the same point. Holding that point as common results in the current description overlapping even farther over the 1/16th line than the actual fence line and the Buck Hermann survey monuments.

In 1982 a foreclosure proceeding on what is now the Watts property was completed calling for the 16th line as the boundary. No mention was made concerning the title issues or adjoiners along the west line. See Umatilla County Circuit Court Decree 82-3-304 for more information on this foreclosure.

I have set no monuments in this survey as the purpose of the survey is only to provide information concerning the Hermann survey monuments, the existing fence location and the title history along this line.



MONUMENT DETAIL

SCALE 1" = 200'

SEE FENCE LINE DETAIL FOR DISTANCES FROM THE FENCE TO THE 1/16TH LINE

BASIS OF BEARINGS
Bearings are based on the 1/16th line being N0°06'09"W as per surveys R1 and R2.

Based on the survey ties to the monuments from R-142-B, this monument is 1.6' farther south than the pin set under survey I-156-B

RECEIVED BY
Umatilla County Surveyor
Date: 12/09
Rec'd By: JG
No.: 09-182-B

REGISTERED PROFESSIONAL LAND SURVEYOR

Stephen K. Haddock

OREGON
JULY 9, 2001
STEPHEN K. HADDOCK
56299LS

RENEWS 6-30-11

SURVEY FOR

MR. JAMIE KIBLER
81676 S. FORK WALLA WALLA RIVER
MILTON-FREEWATER, OR 97862

LOCATION: NW1/4, S32, T4N, R38E, W.M.,
Umatilla County, Oregon.

PROJECT DATE: November 13, 2009

Project No. 09-17

SCALE: 1" = 200'

WITNESS TREE SURVEYING

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