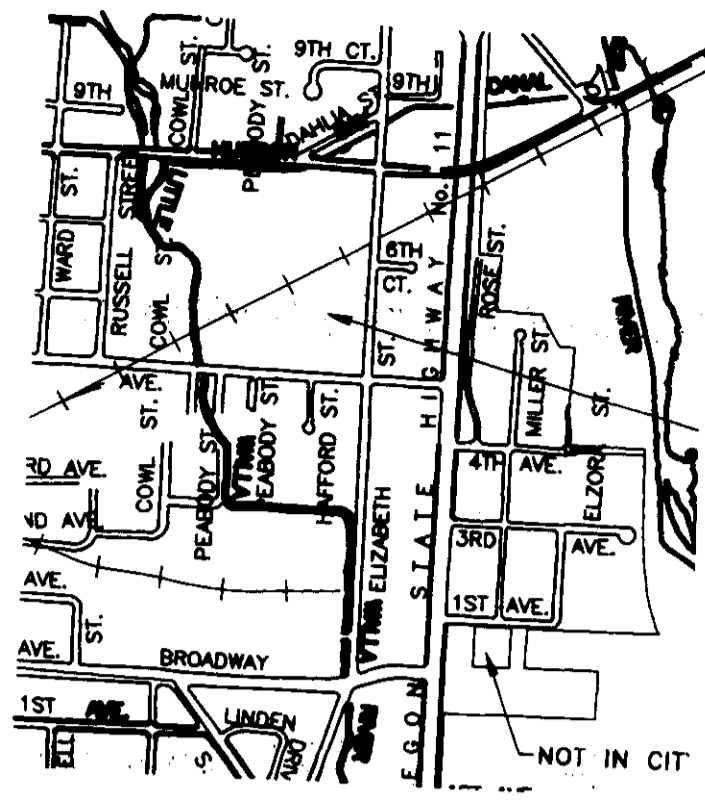


ALTA / A.C.S.M. TITLE LAND SURVEY
FOR SAFEWAY INC.
SEATTLE DIVISION
REAL ESTATE DEPARTMENT



VICINITY MAP



SCALE: 1"=30'

LEGAL DESCRIPTION

All that real property being a portion of Block 25, Block 26, a portion of vacated Parallel Street (vacating ordinance No. 665, recorded in Real 117 at Page 587), and a 5 foot strip, more or less, of vacated land lying southerly and adjacent to Lot 7 and Lot 8 of said Block 26 (vacating ordinance No. 317, recorded in Book 293 at Page 291), and a portion of vacated Cleveland Street, as they are shown on the plot of the ORIGINAL TOWN OF FREEWATER, (new City of Milton Freewater), sold described real property being a portion of the Southwest 1/4 of the Northwest 1/4 of Section 1, T. 5 N., R. 35 E., W.M., together with a portion of the Northwest 1/4 of the Southwest 1/4 of said Section 1, T. 5 N., R. 35 E., W.M., all of the aforesaid real property lying in the City of Milton Freewater, Umatilla County, Oregon, more particularly described as follows:

Commencing at a found spike monumenting the Northeast corner of the said Northwest 1/4 of the Southwest 1/4 of Section 1, T. 5 N., R. 35 E., W.M., (CW 1/16th Corner);

thence N. 89°33'04" West 89.94 feet along the Northerly boundary line of said Northwest 1/4 of the Southwest 1/4 of Section 1, to a point of non-tangent curvature on the Westerly Right-Of-Way line of the Oregon Washington Highway, described by deed recorded in Book 170 at Page 135, Umatilla County Records, said point being the TRUE POINT OF BEGINNING;

thence Southwesterly 29.17 feet along a curve to the left and along said Westerly Right-Of-Way, said curve having a radius of 28,747.89 feet, a central angle of 00°03'30", tangents of 14.59 feet and being subtended by a long chord bearing S. 00°34'45" W. 29.17 feet, to a point 50.00 feet distant and Westerly of the center line of said Oregon Washington Highway, being the Point of Tangent to Spiral Curvature center line station 94+59.06, from which said point on the Westerly Right-Of-Way a found 3" Brass Cap Monument marked OREGON STATE HIGHWAY DEPT. R.P.P.S. 94+59.06 42.77 bears S. 89°32'00" E. 7.23 feet;

thence continuing along said Westerly Right-Of-Way and along a 50.00 foot distant and Westerly offset line to a spiral curve at the said center line of the Oregon Washington Highway, (said center line spiral curve being subtended by a long chord bearing S. 00°29'00" W. 100.00 feet), to a point 50.00 feet distant and Westerly of said center line of the Oregon Washington Highway, being the Point of Tangent to Spiral Curvature center line station 94+59.06, from which said point on the Westerly Right-Of-Way a found 3" Brass Cap Monument marked OREGON STATE HIGHWAY DEPT. R.P.P.S. 94+59.06 42.77 bears S. 89°32'00" E. 7.23 feet;

thence S. 00°27'00" W. 12.48 feet along said Westerly Right-Of-Way to a point;

thence N. 89°33'04" W. 320.78 parallel with said Northerly boundary line of the Northwest 1/4 of the Southwest 1/4 of Section 1, to a point on the Easterly Right-Of-Way of North Elizabeth Street;

thence North 00°10'14" West 141.75 feet along said Easterly Right-Of-Way to a point on the said Northerly boundary line of the Northwest 1/4 of the Southwest 1/4 of Section 1, from which a found Railroad Spike on the intersection of the center line of said North Elizabeth Street and said Northerly boundary line of the Northwest 1/4 of the Southwest 1/4 bears N. 89°33'04" W. 30.00 feet;

thence N. 00°46'53" E. 73.75 feet along said Easterly Right-Of-Way to a point 20.00 feet Northerly of the Northerly boundary line of Lot 8 of said Block 26 of the ORIGINAL TOWN OF FREEWATER;

thence S. 89°36'43" E. 100.00 feet parallel to said Northerly boundary line of Lot 8 to a point on the common boundary line of Lot 9 and Lot 6 of said Block 26;

thence N. 00°46'53" E. 55.00 feet along the said common boundary line of Lot 9 and Lot 6 and a portion of the common boundary line of Lot 10 and Lot 5 of said Block 26 to the Southeast corner of the North 1/2 of said Lot 10;

thence S. 89°36'43" E. 9.15 feet along the Easterly extension of the Southerly boundary line of the said Northerly 1/2 of Lot 10 to a found 5/8" Iron pin and cap marked A.P. & A.;

thence N. 01°48'49" E. 125.03 feet to a found 5/8" Iron pin and cap marked A.P. & A., on the Southerly Right-Of-Way of N.E. Fifth Avenue, also being the Northerly boundary line of said Block 26 of the ORIGINAL TOWN OF FREEWATER, from which the Northwesterly corner of said Block 26 bears N. 89°36'43" W. 111.33 feet;

thence S. 89°36'43" E. 211.02 feet along said Southerly Right-Of-Way and said Northerly boundary line of Block 26 to a point on the said Westerly Right of Way of the Oregon Washington Highway;

thence S. 00°46'00" W. 124.74 feet along said Westerly Right-Of-Way to a point 50.00 feet distant and Westerly of said center line of the Oregon Washington Highway, being the Point of Spiral to Tangent center line station 97+17.89, from which said point on the Westerly Right-Of-Way a found 3" Brass Cap Monument marked OREGON STATE HIGHWAY DEPT. R.P.P.S. 97+17.89 42.78 bears S. 89°14'00" E. 7.22 feet;

thence continuing along said Westerly Right-Of-Way and along a 50.00 foot distant and Westerly offset line to a spiral curve at the said center line of the Oregon Washington Highway, (said center line spiral curve being subtended by a long chord bearing S. 00°44'00" W. 100.00 feet), to a point of curvature, being Point of Curve to Spiral center line station 96+17.39;

thence Southwesterly 29.26 feet along a curve to the left and along said Westerly Right-Of-Way, said curve having a radius of 28,747.89 feet, a central angle of 00°03'30", tangents of 14.63 feet and being subtended by a long chord bearing S. 00°38'15" W. 29.26 feet, to the Point of Beginning;

Containing 2.48 acres, more or less.

SUBJECT TO:
Existing rights-of-way and easements of record and/or appearing on said above described parcel of land.

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE CENTER LINE OF N. ELIZABETH STREET, AS IT IS SHOWN ON RECORD OF SURVEY MAP NO. 82-56-B, UMATILLA CO. RECORDS, BEING N. 00°46'53" E.

EASEMENT DESCRIPTIONS

- E4. AN EASEMENT FOR UTILITIES OVER AND ACROSS THE PREMISES FORMERLY INCLUDED WITHIN THE BOUNDARIES OF A STRIP OF LAND 5 FEET IN WIDTH VACATED BY ORDINANCE NO. 317, DESCRIBED BY DEED, REEL 117 AT PAGE 276, (SHOWN).
- E5. ACCESS RIGHTS, CONDITIONS AND RESERVATIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, CONTAINED IN CONTRACT TO BUY SHOW FORD, INC. DESCRIBED BY DEED, REEL 73 AT PAGE 1771, (NOT SHOWN), AND BY DEED REEL 168 AT PAGE 806 (NOT SHOWN).
- E7. SEWER AND WATER EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTED BY DICK SNOW FORD, INC., TO THE CITY OF MILTON FREEWATER BY DEED, REEL 117 AT PAGE 276. (NOTE THERE IS LATENT AMBIGUITY, IN SAID DEED, AS SHOWN ON THIS DRAWING.)

CURRENT ZONING

- C-1 AND C-2 GENERAL COMMERCIAL
CORNER LOT BUILDING SETBACKS
A.) FRONT YARD - 22 FEET. FRONT YARD IS DEFINED AS THAT SIDE OF THE PROPERTY WHICH FACES A STREET AND CONTAINS THE MAIN ENTRANCE TO THE STRUCTURE.
B.) SIDE YARD - MINIMUM OF 6 FEET ON INTERIOR SIDE, WITH BOTH SIDES COMBINING FOR A MINIMUM OF 16 FEET. IF GARAGE, CARPORT OR DRIVEWAY IS NOT LOCATED ON THE PROPERTY'S STREET- FACING SIDE YARD, THE MINIMUM SETBACK IS 10 FEET. (PLANNING DIRECTOR MAY MODIFY STRICT APPLICATION OF THIS STANDARD BASED ON ACTUAL PROPOSED LOCATION OF GARAGE OR CARPORT IN RELATION TO STREETS.)
C.) REAR YARD - 22 FEET

FLOOD ZONE

THE DELINEATED PROPERTY FALLS WITHIN FLOOD ZONE "C" AS SHOWN ON THE FLOOD HAZARD BOUNDARY MAP COMMUNITY NO. 410210 B ISSUED BY F.E.M.A. SEPT. 12, 1978.

NOTES

- THE GAS LINE AND WATER LINE IS SHOWN PICTORIALLY ONLY. THE LOCATION WAS DETERMINED FROM THE AS-BUILTS PROVIDED BY THE LISTED UTILITY COMPANIES. ITS MEASURED LOCATION WAS NOT POSSIBLE.
- INDIVIDUAL UTILITY SERVICE LINES ARE NOT SHOWN HEREON.
- THE SQUARE FEET AREAS SHOWN ARE CALCULATED TO THE OUTSIDE FACES OF THE EXISTING BUILDINGS.
- BOUNDARY INFORMATION SHOWN ALONG SPIRAL CURVES ARE CHORD BEARINGS AND DISTANCE.
- THE SPOT ELEVATION SHOWN ON THE PROPERTY CORNERS ARE NOT TO BE USED AS BENCH MARKS.

UTILITY COMPANIES

GAS: CASCADE NATURAL GAS COMPANY
324 W. ROSE STREET
WALLA WALLA, WA. 99362
(509) 529-2390

TELEPHONE: U.S. WEST
1400 S.W. FIFTH AVE., ROOM 208
PORTLAND, OREGON 97201
(800) 895-7518

SEWER: CITY OF MILTON FREEWATER
PUBLIC WORKS DEPARTMENT
P.O. BOX 6
MILTON FREEWATER, OREGON 97862
(503) 938-5531

ELECTRIC: CITY OF MILTON FREEWATER
PUBLIC WORKS DEPARTMENT
P.O. BOX 6
MILTON FREEWATER, OREGON 97862
(503) 938-5531

LEGEND

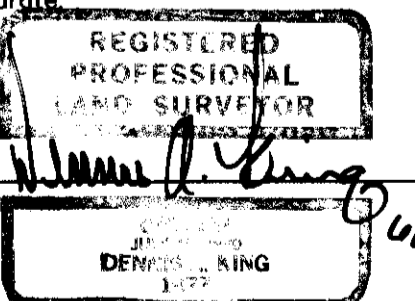
- PROPERTY BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- TRACT LINE
- SECTION LINE
- CENTER LINE
- DITCH
- SANITARY SEWER
- STORM DRAIN
- EDGE OF PAVEMENT
- FENCE
- WATER LINE
- ELECTRIC POWER (OVERHEAD)
- UNDERGROUND POWER
- GAS MAIN
- CURB
- GATE
- SEWER MANHOLE
- VALVE
- LIGHT POLE
- POWER POLE
- LIGHT POLE, POWER POLE COMBINATION
- TELEPHONE RISER
- CATCH BASIN
- SIGN
- ELEVATION AT BUILDING CORNER
- TOP BACK OF CURB ELEVATION
- FLOW LINE ELEVATION
- PAVEMENT ELEVATION
- FOUND OREGON STATE HIGHWAY DEPARTMENT MONUMENT
- FOUND BRASS CAP
- FOUND 2" ALUMINUM CAP MARKED AS NOTED
- FOUND 5/8" PIN W/CAP MARKED A.P. & A.
- FOUND PK NAIL
- SET PK NAIL & WASHER MARKED L.S. 1877
- FOUND SPIKE AS NOTED
- SET 5/8" IRON PIN W/ 2" ALUM. CAP MARKED J-U-B ENGINEERS P.L.S. 1877
- EXISTING GRADE CONTOURS

SURVEYOR'S CERTIFICATE

I, DENNIS A. KING, P.L.S., being a registered surveyor of the State of Oregon, do hereby state to Safeway Inc., a Washington Corporation, its successors and assigns, and Homestead Title Company of Pendleton, Oregon, the following:

- This map or plot and the survey on which it is based were made in accordance with the "Minimum Standard Detail requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by the American Land Surveyors' Association and the American Congress on Surveying and Mapping in 1992.
- The survey was made on the ground between April 3, 1995 and April 17, 1995 and correctly shows the area of the subject property, the location and type of all buildings, structures and other improvements situated on the subject property, and any other matters situated on the subject property.
- Except as shown on the survey, or as noted there are no visible easements or rights of way of which the undersigned has been advised.
- Except as shown on the survey, there are no observable, above ground encroachments; (a) by the improvements on the subject property, upon adjoining properties, streets or alleys; or (b) by the improvements on adjoining properties, streets or alleys upon the subject property.
- The location of each easement, right of way, servitude, and other matter affecting the subject property are listed in the title insurance commitment dated February 13, 1995, issued by Homestead Title Insurance Company of Pendleton, Oregon with respect to the subject property, has been shown on the survey, together with appropriate recording references, to the extent that such matters can be located. The property shown on the survey is the property described in that title commitment. The location of all improvements on the subject property is in accord with minimum setback provisions and restrictions of record referenced in such title commitment, except as shown.
- The subject property has access to and from a duly dedicated and accepted public street or highway.
- Except as shown on the survey, the subject property does not serve any adjoining property for drainage, utilities, or ingress or egress.
- The description of the subject property forms a mathematically closed figure.
- No portion of the property shown on the survey lies within a Special Hazard Area, as described on the Flood Insurance Rate Map for the community in which the subject property is located.

The parties listed above are entitled to rely on the survey and this certificate as being true and accurate.



DENNIS A. KING, P.L.S.
Registration No. P.L.S. 1877

ALTA / A.C.S.M. LAND TITLE SURVEY

SAFEWAY INC.

UMATILLA COUNTY, OREGON
LOCATED IN A PORTION OF BLOCKS 25 AND 26, ORIGINAL TOWN OF FREEWATER, & A PORTION OF THE N.W. 1/4 OF THE S.W. 1/4 OF SECTION 1, T. 5N., R. 35E., W.M. MILTON-FREEWATER, UMATILLA COUNTY, OREGON

J-U-B ENGINEERS, Inc.
Engineers Surveyors Planners
Nampa, Idaho

ACAD DWG. FILE 10742T1 PLT. SC. 1 = 30
DES. JPG DR. DPC CK. DAK SHEET 1 OF 1

SCALE: 1"= 30' DATE: NOV., 1995 DWG. NO. N950417



April 28, 1995

J-U-B ENGINEERS, Inc.
ENGINEERS • SURVEYORS • PLANNERS

212 Tenth Avenue South
Nampa, ID 83651

208/467-5252
FAX: 208/467-6631

NARRATIVE OF SURVEY

Surveyed For: Safeway, Inc.
P.O. Box 85001
Bellevue, WA. 98015-8501

Surveyed By: Dennis A. King, P.L.S.
J-U-B ENGINEERS, Inc.
212 Tenth Avenue South
Nampa, Id. 83651-3832

Location: A portion of the NW 1/4 of the SW 1/4 of said Section 1, T. 5 N., R. 35 E. W.M.

Controlling Monuments: 1. Found spike monumenting the CW 1/16th Corner of Section 1, T. 5 N., R. 35 E. W.M., as shown on Record of Survey No. 82-56-B, Umatilla County Records.

2. Found railroad spike marking a point of intersection on the Northerly boundary line of of the NW 1/4 of the SW 1/4 of Section 1 and the center line of N. Elizabeth Street, as shown on Record of Survey No. 82-56-B, Umatilla County Records.

3. Found Oregon State Highway Department Right-Of-Way Monuments:
a.) P.S. Station 94+59.06, Center Line Offset 42.77 feet;
b.) P.T. Station 97+17.89, Center Line Offset 42.78 feet;

4. Found a Brass Cap Monument marking the centerline intersection of N.E. Fifth Avenue and N. Elizabeth Street.

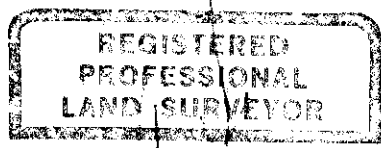
5. Found a spike marking a point on the center line of N. Elizabeth Street, as shown on Record of Survey No. 82-56-B, Umatilla County Records.

6. Found a 2" Aluminum Cap marked Krumbein Eng. PLS 933, marking the Northeast corner of a tract of land described by deed recorded in Book 268 at Page 181, Umatilla County Records, also marking a point on the Westerly Right-Of -Way of the Oregon Washington Highway.

6. Found a 1/2" iron pin (no cap) marking a point on the Westerly Right-Of -Way of the Oregon Washington Highway, from which the Northeast corner of a tract of land described by deed, recorded in Book 240 at Page 21, Umatilla County Records, bears S. 00 27'00" W. 50.00 feet.

7. Found a 1/2" iron pin (no cap) marking a point on the Northerly boundary line of a tract of land described by deed recorded in Book 250 at Page 244, Umatilla County Records.

Purpose: A.L.T.A. / A.S.C.M. LAND TITLE SURVEY at the request of client.



6/28/95

96-C3-C

