

Commencing at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 16, Township 2 North, Range 32, E. 4. M.; thence North 89°43'40" West along the South line of said Northeast Quarter of the Northeast Quarter of said Section 16, 705.97 feet to the Easterly right of way line of U. S. Highway No. 395; thence along said Easterly right of way line the following courses and distances: running Northwesterly along an offset 3" spiral curve to the right, the long chord bears North 15°46'15" East 41.86 feet, a distance of 41.86 feet; thence along a 2794.79 foot radius curve to the right, the long chord bears North 19°12'45" East 270.00 feet, a distance of 270.11 feet to the true point of beginning of this description; thence continuing along said 2794.79 foot radius curve to the right, the long chord bears North 23°35'15" East 156.68 feet, a distance of 156.70 feet; thence along an offset 3" spiral curve to the right, the long chord bears North 27°11'40" East 296.30 feet, a distance of 296.33 feet; thence North 28°11'00" East a distance of 10.65 feet; thence along an offset 10" spiral curve to the left, the chord bears North 28°05'05" East 102.62 feet, a distance of 102.64 feet; thence leaving said Easterly right of way line South 61°49'50" East 40.00 feet; thence North 28°10'10" East 44.84 feet to the South line of that tract of land conveyed to Jan C. Barbyte and Pete H. King, by Deed recorded in Book 332, Page 286, Deed Records, thence South 86°00'45" East along said South line, 314.21 feet to the East line of said Northeast Quarter of the Northeast Quarter; thence South 01°06'35" West along said East line 664.61 feet; thence North 88°53'25" West 375.00 feet; thence North 57°03'00" West 278.29 feet to the true point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.

leaving said Easterly right of way line South 57°03'00" East 278.29 feet; thence South 01°06'35" West 115.48 feet; thence North 89°43'40" West 323.04 feet to the true point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Together with all rights to a non-exclusive perpetual easement appurtenant to the K-Mart Tract for the purposes of vehicular and pedestrian ingress and egress to and from the K-Mart Tract, for the use and benefit of the Mar-Mon Developers, an Idaho General Partnership, its successors, assigns, licensees, tenants, suppliers, and customers, over, upon and across the drive aisles on McDonald's Corporation Tract, as reserved in Deed from Mar-Mon Developers, an Idaho General Partnership to McDonald's Corporation, a Delaware corporation, dated March 5, 1978, recorded March 24, 1978, Microfilm R-31, Page 328, Deed Records, Umatilla County, Oregon. The McDonald's Tract is described as follows, to-wit:

Commencing at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 16, Township 2 North, Range 32; thence North 89°43'40" West along the South line of said Northeast Quarter of the Northeast Quarter of said Section 16, 705.97 feet to the Easterly right of way line of U. S. Highway No. 395; thence along said Easterly right of way line Northwesterly along an offset 3" spiral curve to the right, the long chord bears North 15°46'15" East 41.86 feet, a distance of 41.86 feet to the true point of beginning of this description; thence continuing Northwesterly along said 3" spiral curve to the right, the long chord bears North 19°12'45" East 270.00 feet, a distance of 270.11 feet; thence along a 2794.79 foot radius curve to the right, the long chord bears North 23°35'15" East 156.68 feet, a distance of 156.70 feet; thence along an offset 3" spiral curve to the right, the long chord bears North 27°11'40" East 296.30 feet, a distance of 296.33 feet; thence North 28°11'00" East a distance of 10.65 feet; thence along an offset 10" spiral curve to the left, the chord bears North 28°05'05" East 102.62 feet, a distance of 102.64 feet; thence leaving said Easterly right of way line South 61°49'50" East 40.00 feet; thence North 28°10'10" East 44.84 feet to the South line of that tract of land conveyed to Jan C. Barbyte and Pete H. King, by Deed recorded in Book 332, Page 286, Deed Records, thence South 86°00'45" East along said South line, 314.21 feet to the East line of said Northeast Quarter of the Northeast Quarter; thence South 01°06'35" West along said East line 664.61 feet; thence North 88°53'25" West 375.00 feet; thence North 57°03'00" West 278.29 feet to the true point of beginning.

NARRATIVE:

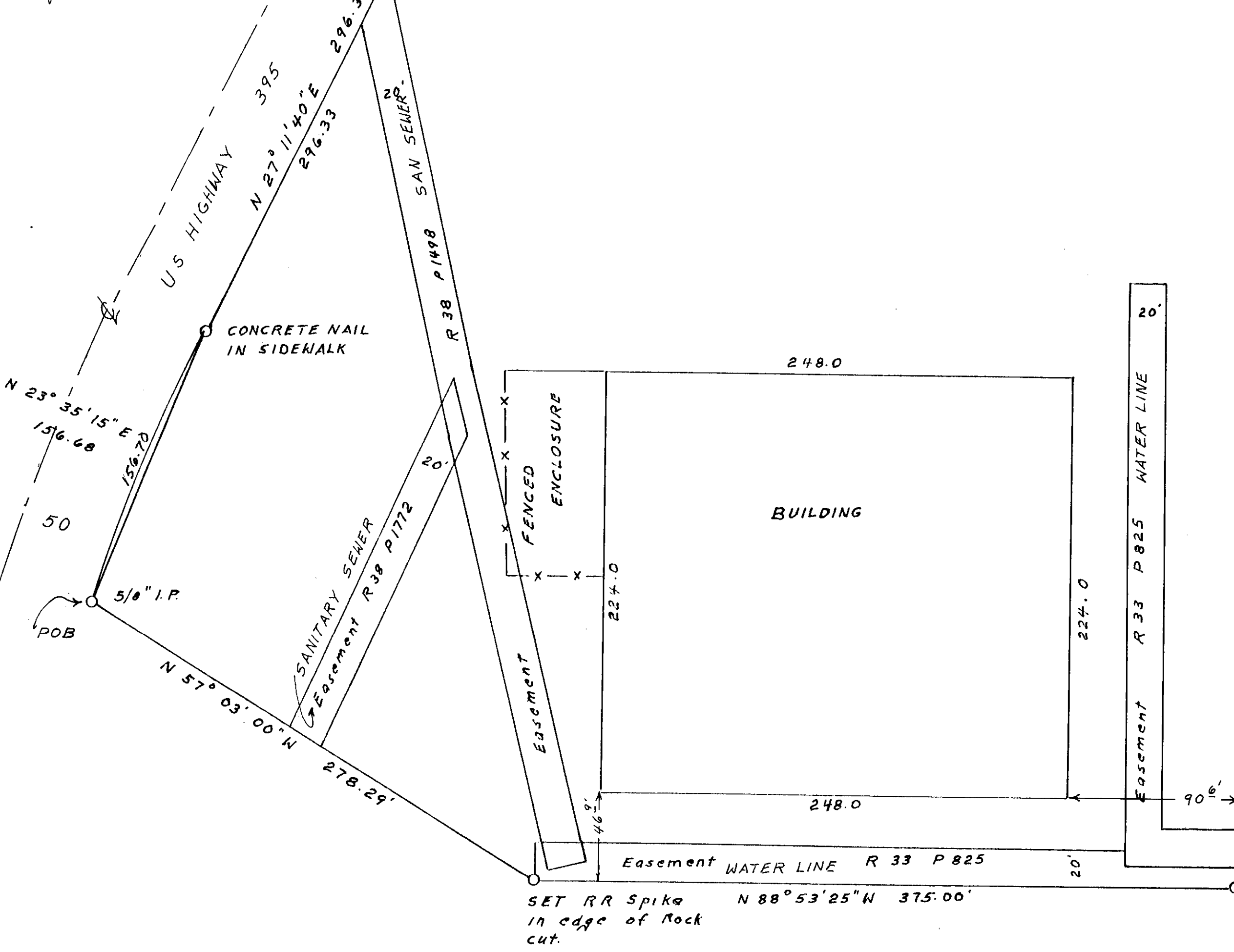
The purpose of this survey was to reestablish the corner monuments and to show easements on the K-MART tract in the NE 1/4 of Sec. 16 T2N, R32E, M. The NE corner and the SE cor of the NE 1/4 of the NE 1/4 were relocated and the bearing from Barnum's Addition were used. The tract was surveyed using this data.

CERTIFICATION TO:

LAWYERS TITLE INSURANCE CO.,  
FRANK P. CRIVELLO, HIS ASSIGNS & MORTGAGEE

I, WAYNE O. HARRIS, OREGON REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY THAT THIS DRAWING WAS MADE FROM NOTES OF A SURVEY PERFORMED BY ME AND IS A TRUE AND ACCURATE REPRESENTATION THEREOF.

*Wayne Harris #346*



9 10  
16 15 FOUND STONE

TO: Security Pacific National Bank as Trustee, Its successors and assigns, First Berkshire Business Trust and Lawyers Title Insurance Corporation

I HEREBY CERTIFY THAT ON THE 19<sup>th</sup> DAY OF JULY 1991:  
A) THIS MAP OF SURVEY IS BASED ON A FIELD SURVEY MADE BY ME ON THE GROUND IN ACCORDANCE WITH THE STATE LAWS OF OREGON AND CORRECTLY SHOWS (1) THE BOUNDARIES AND AREAS OF THE SUBJECT PROPERTY AND THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS THEREON AND THE DISTANCE THEREFROM TO THE NEAREST FACING EXTERIOR BOUNDARY LINES OF THE SUBJECT PROPERTY; (2) THE LOCATION OF ALL RIGHTS-OF-WAY, EASEMENTS AND ANY OTHER MATTERS OF RECORD (OR OF WHICH I HAVE KNOWLEDGE OR HAVE BEEN ADVISED, WHETHER OR NOT OF RECORD) AFFECTING THE SUBJECT; (3) THE LOCATION OF THE PARKING AREAS ON THE SET 5/8" I.P. SUBJECT PROPERTY SHOWING THE NUMBER OF PARKING SPACES PROVIDED THEREBY; (4) ALL ABUTTING STREETS PROVIDING ACCESS TO THE SUBJECT PROPERTY WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE WIDTH AND NAME THEREOF; AND (5) ALL OTHER SIGNIFICANT ITEMS ON THE SUBJECT PROPERTY;  
B) EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO (1) ENCROACHMENTS ON THE SUBJECT PROPERTY BY IMPROVEMENTS ON ANY ADJOINING PROPERTY; (2) ENCROACHMENTS ON ADJOINING PROPERTY, STREETS OR ALLEYS BY ANY IMPROVEMENTS ON THE SUBJECT PROPERTY; (3) PARTY WALLS; (4) NO STREAMS, RIVERS, SPRINGS, PONDS, LAKES, DITCHES OR DRAINS LOCATED OR BORDERING ON OR RUNNING THROUGH THE SUBJECT PROPERTY; (5) GAPS, GORES OR OVERLAPS BETWEEN THE BOUNDARIES OF THE SUBJECT PROPERTY AND THE BOUNDARIES OF ANY ADJOINING PARCELS OR ROADS, HIGHWAYS, STREETS OR ALLEYS AND (6) ALL PARCELS WHICH COMPRISE THE SUBJECT PROPERTY ARE CONTIGUOUS;  
C) ALL REQUIRED BUILDING SET BACK LINES ON THE SUBJECT PROPERTY ARE LOCATED AS SHOWN HEREON;  
D) ALL PUBLIC AND PRIVATE ROADS, HIGHWAYS, STREETS AND ALLEYS RUNNING ADJACENT TO OR UPON THE SUBJECT PROPERTY ARE SHOWN;  
E) ALL PHYSICAL EVIDENCE OF BOUNDARY LINES AND OF POSSESSION OR OCCUPANCY HAVE BEEN SHOWN AND PROPER NOTATION MADE WHERE IN CONFLICT WITH THE LEGAL DESCRIPTION OF RECORD;  
F) EXCEPT AS SHOWN ON THE SURVEY, THERE ARE NO DISCREPANCIES BETWEEN THE BOUNDARY LINES OF THE SUBJECT PROPERTY AS SHOWN ON THE SURVEY AND AS DESCRIBED IN THE LEGAL DESCRIPTION OF RECORD AND THERE ARE NO DEFICIENCIES IN THE QUANTITY OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION OF RECORD; AND  
G) EXCEPT AS SHOWN ON THE SURVEY, NONE OF THE BUILDINGS AND IMPROVEMENTS SHOWN ON THIS SURVEY VIOLATES ANY SET BACK REQUIREMENTS, LAWS, RULES OR REGULATIONS.

- NOTES:  
1. NO SET BACK LINES.  
2. ABOVE FLOOD ZONE.  
3. 388 MARKED PARKING SPACES  
4. 330150 FT<sup>2</sup>; 7.58 A.

SET 5/8" I.P. in mound of stone

SE COR OF NE 1/4 NE 1/4 IS A POWER POLE

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Wayne Harris*  
OREGON  
WAYNE O. HARRIS  
1991

<b>WAYNE HARRIS CO. INC.</b>	
SURVEY FOR: FRANK P. CRIVELLO INVESTMENTS	
LOCATION: NE 1/4 NE 1/4 SEC. 16 T.2N R.32 E.M	
DATE: 8-10-91	CHECKED: <i>wol</i>
SCALE: 1" = 50'	FILE:
DRAWN BY: <i>wol</i>	JOB:
	DRAWING: 91-50-C

03-241-C