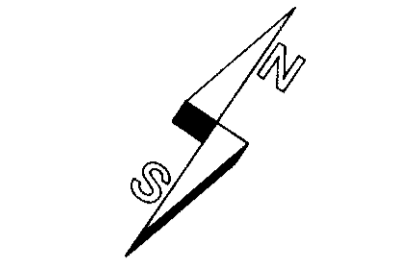


ALTA/ACSM LAND TITLE SURVEY



SCALE: 1 INCH=30 FEET
0 15 30 60
BASIS OF BEARINGS, AS NOTED

NO.	BEARING	DISTANCE	RECORD DIMENSION
L1	N 89° 55' 56" E	19.97'	(S 00° 03' 45" E 20')
L2	N 00° 04' 04" W	35.00'	(S 10° 15' E 27.12' M/L)
L3	S 10° 09' 48" E	27.12'	
L4	N 52° 39' 59" W	26.00'	
L5	N 52° 39' 59" W	26.15'	
L6	S 54° 21' 21" W	12.93'	

SHEET 1 GENERAL NOTES

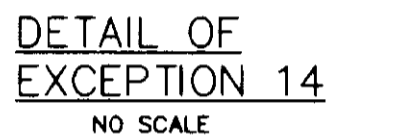
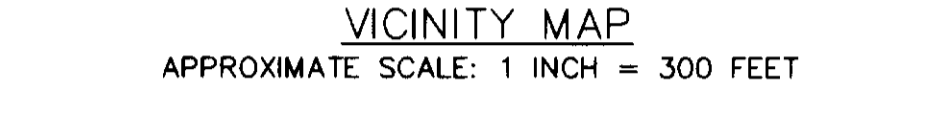
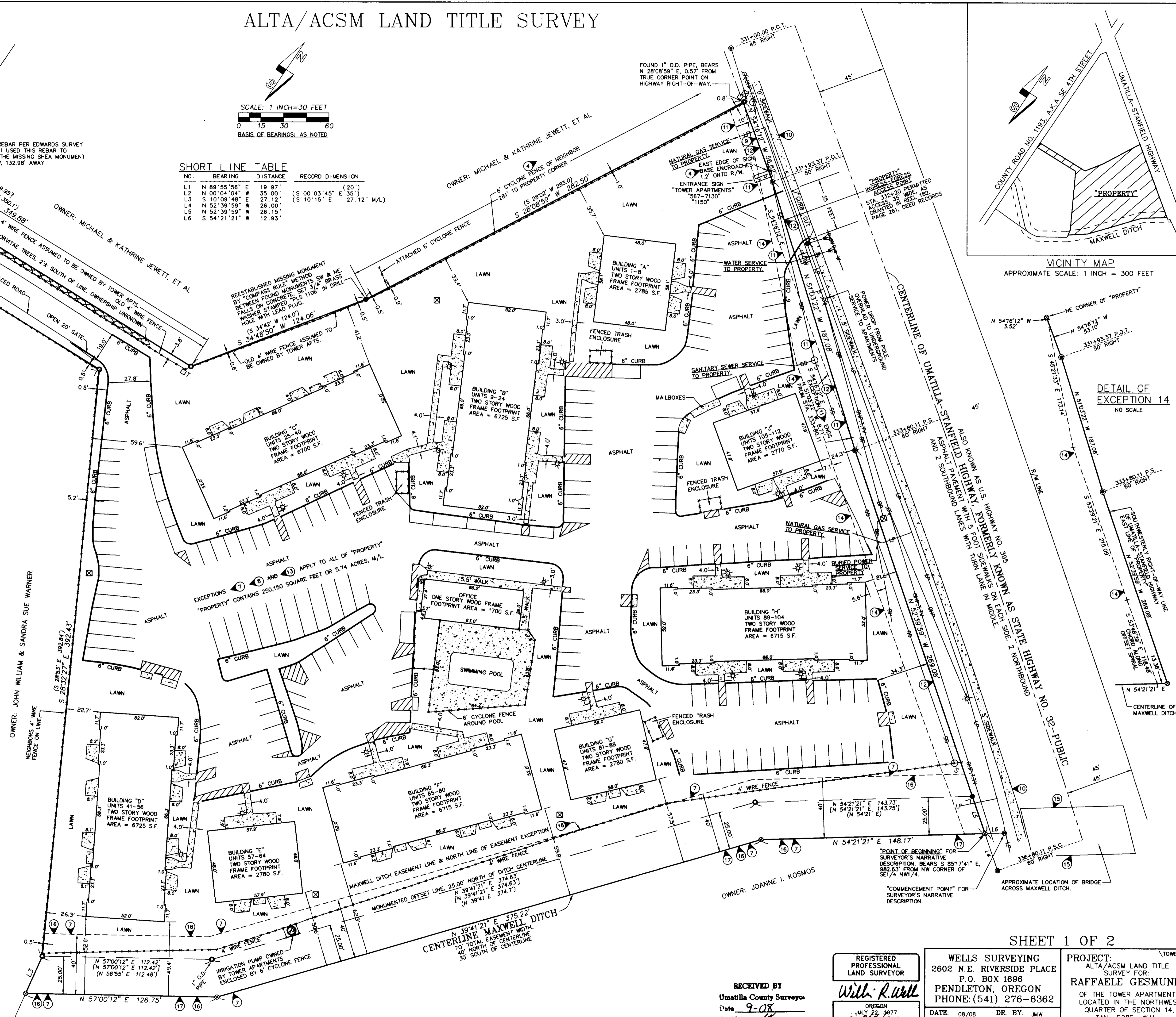
1. THERE IS AN OLD, IRREGULAR, UNMAINTAINED 4" WIRE FENCE ALONG PORTIONS OF NORTH LINE. FENCE IS ASSUMED TO BE OWNED BY TOWER APARTMENTS. FENCE LOCATION IS SHOWN RELATIVE TO NORTH LINE OF "PROPERTY".
2. CURBS WITHIN BOUNDARY OF "PROPERTY" ARE 6" HIGH BY 6" WIDE EXTRUDED CONCRETE.
3. QWEST (TELEPHONE) AND CABLE TV COMPANY DID NOT RESPOND TO BURIED LOCATE REQUEST. BURIED TELEPHONE AND CABLE TV TO APARTMENT UNITS ARE BELIEVED TO BE CONSTRUCTED IN A COMMON TRENCH WITH BURIED ELECTRIC SERVICE TO THE UNITS. OVERHEAD POWER AND CABLE TV LINES ARE LOCATED ON OVERHEAD POLES IN STATE HIGHWAY RIGHT-OF-WAY ON THE EAST SIDE OF "PROPERTY". QWEST MAY HAVE BURIED LINES WITHIN EXCEPTION 11.
4. BURIED UTILITIES ADJOINING THE UMATILLA-STANFIELD HIGHWAY AND SE 4TH STREET WERE LOCATED PER "CALL BEFORE YOU DIG" TICKET NUMBER 8172012, (08/08/08). QWEST AND CABLE TV COMPANIES DID NOT RESPOND TO LOCATE REQUEST.
5. APARTMENT BUILDINGS ARE APPROXIMATELY 24 FEET IN HEIGHT ABOVE GROUND LINE.
6. NO EVIDENCE OF CEMETERIES WAS OBSERVED ON THE "PROPERTY".

ENCROACHMENT NOTES

1. EAST EDGE OF ROCK PLANTER SIGN BASE FOR TOWER APARTMENTS SIGN ENCLOSES 1.2 FEET ONTO STATE HIGHWAY RIGHT-OF-WAY AS SHOWN.
2. 281 FEET OF NEIGHBORS 6 FOOT CYCLONE FENCE ENCLOSES ONTO NORTH SIDE OF "PROPERTY" AS SHOWN.
3. 130 FEET OF NEIGHBORS 6 FOOT CYCLONE FENCE ENCLOSES ONTO NORTH SIDE OF "PROPERTY" AS SHOWN.
4. NO EASEMENT REFERENCE WAS FOUND FOR CITY OF HERMISTON FIRE HYDRANT LOCATED NEAR THE NORTHWEST CORNER OF THE "PROPERTY". HYDRANT ENCLOSES 0.4 FEET ± ONTO "PROPERTY".

LEGEND

- - SET 5/8" BY 24" IRON REBAR WITH 1 1/4" RED PLASTIC CAP MARKED OR PLS 1106 WA PLS 17372, UNLESS OTHERWISE NOTED.
- ⊙ - FOUND 5/8" REBAR WITH 1 1/4" ALUMINUM CAP PER SURVEY NO. 87-28-C.
- ⊙ - FOUND 1/2" REBAR FROM SHEA SURVEY NO. K-3-AX, UNLESS OTHERWISE NOTED.
- ⊙ - OTHER MONUMENT FOUND AS NOTED.
- ⊙ - CALCULATED POINT ONLY, NOT SET OR FOUND.
- LO - INDICATES LINE TOO SHORT TO ANNOTATE, SEE "SHORT LINE TABLE".
- [XOX] - INDICATES RECORD DIMENSION FROM WELLS SURVEY NO. 07-282-C.
- [XOX] - INDICATES RECORD DIMENSION FROM SHEA SURVEY NO. K-3-AX. NOTE: THE RECORD DESCRIPTION IN THE PRELIMINARY TITLE REPORT, TITLE NO. 0061884, WAS PREPARED PARTLY BASED ON SURVEY NO. K-3-AX.
- [XOX] - INDICATES RECORD DIMENSION FROM EDWARDS SURVEY NO. R-33-A.
- W— - INDICATES WATER LINE.
- SS— - INDICATES SANITARY SEWER LINE.
- LP— - INDICATES NATURAL GAS LINE.
- BP— - INDICATES BURIED POWER LINE.
- HP— - INDICATES OVERHEAD POWER LINE.
- BHP, T, TV— - INDICATES OVERHEAD POWER, TELEPHONE AND TELEVISION LINE.
- P— - POWER POLE.
- FH— - FIRE HYDRANT.
- WM— - WATER SERVICE METER.
- WV— - WATER VALVE.
- SM— - SANITARY SEWER MANHOLE.
- PT— - POWER TRANSFORMER.
- TP— - TELEPHONE PEDESTAL.
- S— - SIGN, AS INDICATED.
- OL— - OUTDOOR LIGHT OR STREET LIGHT.
- F— - FENCE, TYPE OF FENCE INDICATED.
- E— - INDICATES EASEMENT LINE.
- S.F. - INDICATES SQUARE FEET.
- R/W - INDICATES RIGHT-OF-WAY.
- M/L - INDICATES MORE OR LESS.
- C— - INDICATES CONCRETE SURFACE. (WALKS, PATIOS, ETC.)
- P— - INDICATES PAINTED "NO PARKING" AREA.
- ⊙ - INDICATES LOCATION OF SURVEY ADDRESSABLE EXCEPTION DISCLOSED BY AMERTITLE PRELIMINARY TITLE REPORT NO. 0061884. NUMBERS CORRESPOND WITH THOSE OF THE REPORT. SEE SHEET 2 OF 2 FOR DESCRIPTION OF EXCEPTIONS.



SHEET 1 OF 2

RECEIVED BY
Umatilla County Surveyors
Date: 9-08
Received by: [Signature]
2008-128-C

REGISTERED PROFESSIONAL LAND SURVEYOR
Will R. Wells
OREGON
JULY 22, 1977
WILLIAM R. WELLS
1106
RENEWS 6/30/10

WELLS SURVEYING
2602 N.E. RIVERSIDE PLACE
P.O. BOX 1696
PENDLETON, OREGON
PHONE: (541) 276-6362
DATE: 08/08 DR. BY: JMW
CK BY: WRW NO: 08-1189

PROJECT:
ALTA/ACSM LAND TITLE SURVEY FOR:
RAFFAELE GESMUNDO
OF THE TOWER APARTMENTS LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, T4N, R28E, W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON.

ALTA/ACSM LAND TITLE SURVEY

SHEET 2 GENERAL NOTES:

FLOOD ZONE DESIGNATION:
PROPERTY IS LOCATED IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN.
SOURCE: FIRM FLOOD INSURANCE RATE MAP, CITY OF HERMISTON, UMATILLA COUNTY, OREGON, COMMUNITY-PANEL NO. 410209 0005C, EFFECTIVE DATE SEPTEMBER 29, 1986.

ZONING AND SETBACKS:
ZONING OF THE PROPERTY IS R-3, MULTI-FAMILY RESIDENTIAL. 2000 SQUARE FEET OF GROUND SURFACE IS REQUIRED PER UNIT. MAXIMUM BUILDING HEIGHT IS 35 FEET.

SETBACKS:
FRONT YARD: 20 FOOT MINIMUM.
SIDE YARD: 7 FOOT MINIMUM.
REAR YARD: 10 FOOT MINIMUM.

CONSULT WITH CITY OF HERMISTON ZONING AND BUILDING OFFICIALS FOR FURTHER INFORMATION. CONTACT: CLINT SPENCER, CITY PLANNER, PHONE: 1-541-567-5521.

AREA OF "PROPERTY":
250,150 SQUARE FEET OR 5.74 ACRES, MORE OR LESS.

ADDRESS OF "PROPERTY":
1150 S. HIGHWAY 395, HERMISTON, OREGON 97838.

PARKING SPACES:
THERE ARE 161 PARKING SPACES, DESIGNATED WITH PAINT STRIPES. PARKING SPACES ARE 8 TO 9 FEET IN WIDTH AND LENGTH OF PAINT STRIPE VARIES FROM 14 TO 30 FEET. NO PAINTED HANDICAP SPACES WERE OBSERVED.

NARRATIVE:

THIS ALTA/ACSM LAND TITLE SURVEY WAS MADE AT THE REQUEST OF FRANK GESMUNDO TO SURVEY THE HERMISTON TOWER APARTMENTS PROPERTY.

THE PROPERTY BOUNDARY HAD BEEN SURVEYED IN 1975 BY AMBROSE SHEA UNDER UMATILLA COUNTY SURVEY NO. K-3-AX. ABOUT THE SAME TIME, SHEA ALSO SURVEYED ABUTTING PROPERTIES SOUTHWEST AND NORTH OF THE SUBJECT PROPERTY. WE RECOVERED CERTAIN MONUMENTS FROM SURVEY NO. K-3-AX AND HELD THEM FOR PROPERTY BOUNDARY MONUMENTS. SOME OF THE SHEA MONUMENTS PER SURVEY NO. K-3-AX HAVE BEEN DESTROYED, AND I REESTABLISHED AND REMONUMENTED THEIR POSITIONS AS NOTED. AFTER SURVEY NO. K-3-AX, ADDITIONAL RIGHT-OF-WAY WAS ACQUIRED FOR THE UMATILLA-STANFIELD STATE HIGHWAY, SO THIS HIGHWAY RIGHT-OF-WAY BOUNDARY HAS PARTLY CHANGED SINCE THE 1975 SHEA SURVEY. I NOTE DISTANCES BETWEEN SHEA'S MONUMENTS FIT HIS RECORD DISTANCES QUITE WELL FOR A 1975 SURVEY. SHEA'S ANGLES OR BEARINGS BETWEEN HIS MONUMENTS ARE LESS PRECISE, BUT HIS MONUMENTS FOUND ON THE NORTHERLY AND WESTERLY LINES OF THE PROPERTY ALL FIT REASONABLY WELL WITH EXISTING OLD FENCE LINES.

THE SOUTHERLY BOUNDARY OF THE SURVEYED PROPERTY IS ALONG THE CENTERLINE OF THE MAXWELL DITCH. I HELD THE CENTERLINE OF THE DITCH AS LOCATED BY SURVEY NO. K-3-AX, AFTER VERIFYING THE PRESENT DITCH LOCATION AGAINST THE 1975 SURVEY LOCATION. IRRIGATION DITCHES CAN SHIFT OVER TIME BECAUSE OF DITCH MAINTENANCE, BUT I FIND THE DITCH LOCATION ALONG THE SOUTH LINE OF THE PROPERTY TO BE SUBSTANTIALLY THE SAME AS IN 1975.

WE USED TRIMBLE 5700 GEODETIC G.P.S. RECEIVERS OPERATED IN REAL TIME KINEMATIC MODE TO TIE CERTAIN UNOBSTRUCTED CORNER MONUMENTS AND TO ESTABLISH SURVEY CONTROL POINTS FOR THE SURVEY. THE REMAINDER OF THE MEASUREMENTS WERE MADE BY A 2 PERSON CREW USING A LEICA TCR803, 3 SECOND TOTAL STATION, BY A COMBINATION OF CLOSED TRAVERSES AND RADIAL TIES. NEW MONUMENTS WERE ESTABLISHED BY TOTAL STATION RADIAL METHODS AND VERIFIED BY SEPARATE OBSERVATIONS TO DIFFERENT BACK SIGHTS.

REFERENCE DOCUMENTS

SURVEY NO. Q-924-B
SURVEY NO. I-75-A
SURVEY NO. I-79-A
SURVEY NO. K-3-AX
SURVEY NO. 03-195-B
SURVEY NO. 05-204-B
SURVEY NO. 07-181-B
SURVEY NO. 07-262-C
SURVEY NO. 87-28-C
SURVEY NO. R-33-A
ODOT MAP NO. 9B-9-13 (K-6)
VARIOUS DEEDS AND OTHER RECORD DOCUMENTS DISCLOSED BY PRELIMINARY TITLE REPORT OR BY INVESTIGATION.

LEGAL DESCRIPTION OF "PROPERTY"

RECORD DESCRIPTION PER AMERITITLE PRELIMINARY TITLE REPORT, TITLE NO. 0061884, REPORT NO. 1, DATED MAY 19, 2008:

BEGINNING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF THE MAXWELL DITCH WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF OREGON STATE HIGHWAY NO. 32 AS IT EXISTED ON FEBRUARY OF 1975; THENCE NORTH 53°49' WEST, 126.54 FEET ALONG A CHORD OF A SPIRAL CURVE TO THE POINT OF SPIRAL AT STATION 335+35.2; THENCE NORTH 54°13' WEST, 393.25 FEET ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE; THENCE SOUTH 28°02' WEST 283 FEET; THENCE SOUTH 34°42' WEST, 124 FEET; THENCE SOUTH 88°09' WEST, 350.1 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF S.E. 4 TH STREET, (ALSO KNOWN AS COUNTY ROAD NO. 615); THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE, 35 FEET; THENCE NORTH 88°09' EAST, 300.88 FEET; THENCE SOUTH 28°53' EAST, 392.84 FEET TO A POINT ON THE NORTHERLY BANK OF MAXWELL DITCH; THENCE SOUTH 10°15' EAST, 27.12 FEET, MORE OR LESS, TO A POINT IN THE CENTER OF THE MAXWELL DITCH; THENCE NORTHEASTERLY ALONG THE CENTER OF THE MAXWELL DITCH 670 FEET, MORE OR LESS, TO THE POINT OF BEGINNING;

EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY DEED RECORDED IN MICROFILM REEL 14, PAGE 568, DEED RECORDS;

ALL BEING IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 28, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON;

SUBJECT TO ANY AND ALL WATER RIGHTS OF WAY AND STREETS.

SURVEYORS NARRATIVE DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M., UMATILLA COUNTY, OREGON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE CENTERLINE OF THE MAXWELL DITCH WITH THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF OREGON STATE HIGHWAY NO. 32, (ALSO KNOWN AS THE UMATILLA-STANFIELD HIGHWAY), AS IT EXISTED IN FEBRUARY, 1975; THENCE SOUTH 54°21'21" WEST ALONG THE CENTERLINE OF THE MAXWELL DITCH A DISTANCE OF 12.93 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE UMATILLA-STANFIELD HIGHWAY, AS SAID HIGHWAY HAS BEEN RELOCATED, THE POINT OF BEGINNING FOR THIS DESCRIPTION, SAID POINT OF BEGINNING BEING LOCATED SOUTH 85°17'41" EAST A DISTANCE OF 982.63 FEET FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14; THENCE NORTH 52°39'59" WEST ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, AS SAID RIGHT-OF-WAY WAS ACQUIRED BY WARRANTY DEED RECORDED AT REEL 14, PAGE 568, MICROFILM RECORDS OF UMATILLA COUNTY, A DISTANCE OF 269.08 FEET TO ENGINEERS CENTERLINE STATION 333+80.11, P.S., 60.00 FEET RIGHT OF CENTERLINE; THENCE NORTH 51°03'22" WEST, CONTINUING ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, AS SAID RIGHT-OF-WAY WAS ACQUIRED BY WARRANTY DEED RECORDED AT REEL 14, PAGE 568, MICROFILM RECORDS A DISTANCE OF 187.08 FEET TO ENGINEERS CENTERLINE STATION 331+93.37, 50.00 FEET RIGHT OF CENTERLINE; THENCE NORTH 54°16'12" WEST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, AS SAID RIGHT-OF-WAY WAS ACQUIRED BY DEED RECORDED AT BOOK 224, PAGE 239, DEED RECORDS OF UMATILLA COUNTY A DISTANCE OF 56.62 FEET TO A POINT ON THE NORTHWESTERLY LINE OF THAT TRACT OF LAND CONVEYED TO O.M. SCOTT, ET UX, BY DEED RECORDED IN BOOK 173, PAGE 397, DEED RECORDS OF UMATILLA COUNTY; THENCE SOUTH 28°08'59" WEST ALONG THE NORTHERLY LINE OF SAID SCOTT TRACT A DISTANCE OF 282.50 FEET; THENCE SOUTH 34°48'50" WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID SCOTT TRACT A DISTANCE OF 124.06 FEET; THENCE SOUTH 88°00'24" WEST, CONTINUING ALONG THE NORTHERLY LINE OF SAID SCOTT TRACT A DISTANCE OF 349.88 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF COUNTY ROAD NUMBER 1193, (ALSO KNOWN AS SOUTHEAST 4TH STREET); THENCE SOUTH 00°04'04" EAST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 35.00 FEET; THENCE NORTH 87°47'23" EAST A DISTANCE OF 300.76 FEET; THENCE SOUTH 28°32'27" EAST A DISTANCE OF 392.43 FEET TO A POINT ON THE NORTHERLY BANK OF THE MAXWELL DITCH; THENCE SOUTH 10°09'48" EAST A DISTANCE OF 27.12 FEET TO THE CENTERLINE OF THE MAXWELL DITCH; THENCE NORTH 57°00'12" EAST ALONG THE CENTERLINE OF THE MAXWELL DITCH A DISTANCE OF 126.75 FEET; THENCE NORTH 39°41'21" EAST ALONG THE CENTERLINE OF THE MAXWELL DITCH A DISTANCE OF 375.22 FEET; THENCE NORTH 54°21'21" EAST ALONG THE CENTERLINE OF THE MAXWELL DITCH A DISTANCE OF 148.17 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL WATER RIGHTS-OF-WAY AND STREETS.

TRACT DESCRIBED CONTAINS 250,150 SQUARE FEET OR 5.74 ACRES, MORE OR LESS.

EXCEPTIONS LIST:

THE FOLLOWING IDENTIFIES SURVEY ADDRESSABLE EXCEPTIONS DISCLOSED BY PRELIMINARY REPORT FOR TITLE INSURANCE, BY AMERITITLE, 112 S.E. COURT, PENDLETON, OREGON 97801, DATED AS OF MAY 19, 2008, TITLE NUMBER 0061884, REPORT NUMBER 1. SYMBOL NUMBERS CORRESPOND WITH EXCEPTION NUMBERS IN THE PRELIMINARY REPORT.

GENERAL EXCEPTIONS 1, 2, 3, 5 AND 6 AND SPECIAL EXCEPTIONS 19 THROUGH 26 APPLY TO ALL OF THE PROPERTY. SPECIAL EXCEPTIONS 19 THROUGH 26 ARE NOT SURVEY MATTERS.

ENCROACHMENTS PER GENERAL EXCEPTION 4 ARE SHOWN OR NOTED ON SHEET 1 OF 2. SEE SHEET 1 OF 2 FOR LEGEND AND LOCATION OF EXCEPTIONS.

7 THESE PREMISES ARE WITHIN THE BOUNDARIES OF THE HERMISTON IRRIGATION DISTRICT AND ARE SUBJECT TO THE LEVES, ASSESSMENTS AND EASEMENTS THEREOF, IF ANY. SURVEYORS NOTE: THE EASEMENT OF THE MAXWELL DITCH IS SHOWN ON SHEET 1 OF 2. THIS EXCEPTION IS OF A "BLANKET" NATURE AND APPLIES TO ALL OF "PROPERTY".

8 TELEPHONE RIGHT OF WAY EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF PACIFIC TELEPHONE AND TELEGRAPH COMPANY, RECORDED MARCH 2, 1949, IN BOOK 188, PAGE 311, UMATILLA COUNTY DEED RECORDS. SURVEYORS NOTE: THIS IS A "BLANKET" EASEMENT COVERING ALL OF "PROPERTY".

9 LIMITED ACCESS PROVISIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS CONTAINED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, RECORDED MARCH 24, 1955 IN BOOK 224, PAGE 239, UMATILLA COUNTY DEED RECORDS. SURVEYORS NOTE: ACCESS RESTRICTIONS PER THIS INSTRUMENT HAVE BEEN PARTIALLY MODIFIED BY EXCEPTION 12. SEE SHEET 1 OF 2 FOR ACCESS LOCATION.

10 EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF THE CITY OF HERMISTON, OREGON, RECORDED MARCH 14, 1960, IN BOOK 258, PAGE 8, UMATILLA COUNTY DEED RECORDS. SURVEYORS NOTE: THIS EASEMENT IS LOCATED ENTIRELY WITHIN THE EXISTING STATE HIGHWAY RIGHT-OF-WAY AND NO CLOSER THAN 10 FEET EAST OF THE EAST LINE OF THE "PROPERTY". GENERAL LOCATION OF EASEMENT IS SHOWN ON SHEET 1 OF 2. EXCEPTION DOES NOT AFFECT "PROPERTY".

11 TELEPHONE RIGHT OF WAY EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF PACIFIC NORTHWEST BELL, RECORDED MARCH 13, 1975, IN BOOK 344, PAGE 501, UMATILLA COUNTY DEED RECORDS. SURVEYORS NOTE: THIS EASEMENT WAS ACQUIRED PRIOR TO THE STATES ACQUISITION OF ADDITIONAL HIGHWAY RIGHT-OF-WAY. PORTIONS OF THIS EASEMENT ARE NOW WITHIN THE STATE HIGHWAY RIGHT-OF-WAY. THE LOCATION OF THE PORTION OF THE EASEMENT ACROSS THE "PROPERTY" IS SHOWN ON SHEET 1 OF 2.

12 LIMITED ACCESS RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, CONTAINED IN DEED TO THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, RECORDED JANUARY 18, 1977 IN REEL 14, PAGE 568, UMATILLA COUNTY MICROFILM RECORDS.

CORRECTION OF ACCESS PROVISIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, AS DISCLOSED IN DOCUMENT BETWEEN THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, AND ROBERT BUCKTER, ISABELLE YUNIS, WILLIAM D. MCMILLAN AND GERALDINE M. MCMILLAN AND ROGER L. DOWNER AND MARY DOWNER, RECORDED JULY 28, 1989 IN REEL 182, PAGE 261, UMATILLA COUNTY MICROFILM RECORDS. SURVEYORS NOTE: APPROVED ACCESS POINT LOCATION IS SHOWN ON SHEET 1 OF 2.

13 RIGHT OF WAY FOR ELECTRIC TRANSMISSION AND DISTRIBUTING LINES, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF PACIFIC POWER & LIGHT COMPANY, RECORDED MARCH 3, 1977, IN REEL 15, PAGE 1763, UMATILLA COUNTY MICROFILM RECORDS. SURVEYORS NOTE: THIS DOCUMENT CONTAINS AN ILLEGIBLE "EXHIBIT A" SHOWING WHAT APPEARS TO BE 10 FOOT EASEMENTS ALONG THE ROUTES OF BURIED ELECTRICAL LINES. NO DIMENSIONS ARE INCLUDED ON THE EXHIBIT. THE LOCATION OF THE ON SITE EASEMENTS CANNOT BE LOCATED FROM THE ILLEGIBLE EXHIBIT, AND I HAVE INDICATED THIS EXCEPTION AS A "BLANKET" TYPE EASEMENT, COVERING ALL OF "PROPERTY" ON SHEET 1 OF 2.

14 EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF CITY OF HERMISTON, A MUNICIPAL CORPORATION, RECORDED APRIL 12, 1977, IN REEL 17, PAGE 642, UMATILLA COUNTY MICROFILM RECORDS. SURVEYORS NOTE: THIS UTILITY EASEMENT IS SHOWN IN DETAIL ON SHEET 1 OF 2. THE EASEMENT WAS PARALLEL WITH THE FORMER RIGHT-OF-WAY LINE OF THE UMATILLA-STANFIELD HIGHWAY. THE POINT OF BEGINNING IN THE DESCRIPTION IS CALLED AS THE NORTHWEST CORNER OF LANDS DESCRIBED IN DEED RECORDED AT ROLL 9, PAGE 389, DEED RECORDS. THE POINT OF BEGINNING SHOULD CALL THE NORTHEAST CORNER OF SAID LANDS.

15 CROSSING AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, BETWEEN THE UNITED STATES OF AMERICA AND THE STATE OF OREGON, RECORDED JANUARY 23, 1985 IN REEL 121, PAGE 1182, UMATILLA COUNTY MICROFILM RECORDS. SURVEYORS NOTE: THIS EXCEPTION IS FOR BRIDGE CROSSING AGREEMENT ON LANDS PURCHASED BY THE STATE OF OREGON FOR HIGHWAY USE. THE STATE HIGHWAY RIGHT-OF-WAY ABUTS THE EAST SIDE OF THE "PROPERTY". THE APPROXIMATE LOCATION OF THE BRIDGE AND EXCEPTION ARE SHOWN ON SHEET 1 OF 2. THIS EXCEPTION DOES NOT AFFECT "PROPERTY".

16 EASEMENT FOR PIPELINE, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF CASCADE NATURAL GAS COMPANY, RECORDED JUNE 24, 1987, IN REEL 154, PAGE 1549, UMATILLA COUNTY MICROFILM RECORDS. SURVEYORS NOTE: THIS 40 FOOT EASEMENT COINCIDES WITH THE 40 FOOT EASEMENT OF THE MAXWELL DITCH AND IS SHOWN ON SHEET 1 OF 2. IN THE EASEMENT LOCATION DESCRIPTION, THE DIMENSION OF 317.4 FEET IS WRONG, THE CORRECT DIMENSION IS 377.4 FEET.

17 ANY ADVERSE CLAIM BASED ON THE ASSERTION THAT THE LOCATION OF THE MAXWELL DITCH, WHICH FORMS A PORTION OF THE BOUNDARY OF THE LAND, HAS MOVED. SURVEYORS NOTE: THE CENTERLINE OF THE MAXWELL DITCH WAS LOCATED IN THE FALL OF 2007, UNDER SURVEY NO. 07-262-C, AND FOUND THE DITCH LOCATION ALONG THE SOUTH SIDE OF THE "PROPERTY" TO BE SUBSTANTIALLY THE SAME AS WHEN LOCATED UNDER SURVEY NO. K-3-AX, IN 1975. THIS EXCEPTION APPLIES TO ALL OF "PROPERTY".

SURVEYORS CERTIFICATION

THE UNDERSIGNED, BEING A REGISTERED SURVEYOR IN THE STATE OF OREGON HEREBY CERTIFIES TO GREYSTONE SERVICING CORPORATION, INC., FANNIE MAE, THEIR SUCCESSORS AND ASSIGNS, RAFFAELE GESMUNDO, THE TOWER APARTMENTS, LLC, AN OREGON LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50% INTEREST AS A TENANT-IN-COMMON, THE TOWER COMPLEX, LLC, AN OREGON LIMITED LIABILITY COMPANY, AS TO AN UNDIVIDED 50% INTEREST AS A TENANT IN COMMON, AND CHICAGO TITLE INSURANCE COMPANY OF OREGON, AS FOLLOWS:

1. THIS MAP OR PLAT 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 ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1., 2., 3., 4., 6., 7.(a), 7.(b)(1), 8., 9., 10., 11.(g), AND 13. OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, THE UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF OREGON, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

2. THE SURVEY WAS MADE ON THE GROUND ON AUGUST 4 THROUGH 15TH, 2008, AND CORRECTLY SHOWS THE AREA OF THE SUBJECT PROPERTY, THE LOCATION AND TYPE OF ALL BUILDINGS, STRUCTURES AND OTHER ABOVE GROUND IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY.

3. EXCEPT AS SHOWN OR NOTED ON THIS SURVEY, THERE ARE NO VISIBLE EASEMENTS OR RIGHT OF WAYS OF WHICH THE UNDERSIGNED HAS BEEN ADVISED.

4. EXCEPT AS SHOWN OR NOTED ON THIS SURVEY, THERE ARE NO OBSERVABLE, ABOVE GROUND ENCROACHMENTS (A) BY THE IMPROVEMENT 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.

5. THE LOCATION OF EACH EASEMENT, RIGHT OF WAY, SERVITUDE, AND OTHER MATTERS AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE TITLE INSURANCE COMMITMENT, (PRELIMINARY TITLE REPORT), DATED MAY 19, 2008, ISSUED BY AMERITITLE, WITH RESPECT TO THE SUBJECT PROPERTY, HAS BEEN SHOWN OR NOTED 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 ABOVE GROUND IMPROVEMENTS ON THE SUBJECT PROPERTY IS IN ACCORD WITH MINIMUM SETBACK PROVISIONS AND RESTRICTIONS OF RECORD REFERENCED IN SAID TITLE COMMITMENT.

6. THE SUBJECT PROPERTY HAS ACCESS TO AND FROM A DULY DEDICATED AND ACCEPTED PUBLIC STREET OR HIGHWAY.

7. THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INGRESS OR EGRESS, EXCEPT THAT THE MAXWELL DITCH, WHICH FORMS THE SOUTHERLY BOUNDARY OF THE PROPERTY, CONVEYS IRRIGATION WATER TO OTHER PROPERTIES, AND SURFACE WATER RUNOFF FROM HIGHER LANDS OUTSIDE THE PROPERTY COULD ENTER THE MAXWELL DITCH.

8. THE RECORD DESCRIPTION OF THE SUBJECT PROPERTY DOES NOT FORM A MATHEMATICALLY CLOSED FIGURE. SURVEYORS NOTE: THERE IS INSUFFICIENT INFORMATION IN THE RECORD DESCRIPTION TO CALCULATE A MATHEMATICAL CLOSURE. THE SURVEYORS NARRATIVE DESCRIPTION DOES FORM A MATHEMATICALLY CLOSED FIGURE.

9. NO PORTION OF THE PROPERTY SHOWN ON THIS 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 ABOVE ARE ENTITLED TO RELY ON THE SURVEY AND THIS CERTIFICATE AS BEING TRUE AND ACCURATE.

William R. Wells
WILLIAM R. WELLS

DATED: 09/10/08

LICENSE NO. PL51106

REGISTERED
PROFESSIONAL
LAND SURVEYOR

William R. Wells

OREGON
JULY 22, 1977
WILLIAM R. WELLS
1106
RENEWS 6/30/10

SHEET 2 OF 2 REVISED ON 09/10/08 TO ADD BORROWERS NAMES TO SURVEYORS CERTIFICATION.

SHEET 2 OF 2

RECEIVED BY
Umatilla County Surveyor
Date 9-08
Field by KK
No. 08-128-C

WELLS SURVEYING 2602 N.E. RIVERSIDE PLACE P.O. BOX 1696 PENDLETON, OREGON PHONE: (541) 276-6362		PROJECT: ALTA/ACSM LAND TITLE SURVEY FOR: RAFFAELE GESMUNDO
DATE: 00/08	DR. BY: JMW	OF THE TOWER APARTMENTS LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, T4N, R28E, W.M., CITY OF HERMISTON, UMATILLA COUNTY, OREGON.
CK BY: MRW	NO: 08-1189	