

FIRST AMERICAN TITLE INSURANCE COMPANY  
COMMITMENT NO: 3020-9998380101; COMMITMENT DATE: FEBRUARY 4, 2020;

- 8 TERMS AND PROVISIONS OF AN AGREEMENT RECORDED OCTOBER 26, 1978 IN MICROFILM R-41, PAGE 632. SAID ITEM WAS NOT PROVIDED TO OUR OFFICE.
9 TERMS AND PROVISIONS OF AN AGREEMENT RECORDED JULY 25, 1979 IN MICROFILM R-53, PAGE 723. AMENDED SEPTEMBER 26, 1980 IN MICROFILM R-71, PAGE 567. SAID ITEM WAS NOT PROVIDED TO OUR OFFICE.
10 AN EASEMENT FOR ELECTRICAL POWER PURPOSES RECORDED DECEMBER 3, 2001 AS INSTRUMENT NO. 2001-4010447. SAID ITEM LIES ON THE SUBJECT PROPERTY AND IS SHOWN HEREON IN ITS GENERAL LOCATION.

OLD RECORD LEGAL DESCRIPTION

THAT CERTAIN TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 9 AND THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 32, EAST OF THE WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON, DESCRIBED AS BEGINNING AT A POINT ON THE WESTERLY LINE OF SOUTHWEST 20TH STREET, SAID POINT BEING NORTH 23'35'34" WEST, A DISTANCE OF 60.00 FEET FROM THE NORTHEAST CORNER OF BLOCK 39, RESERVATION ADDITION (PLATTED AS RESERVE ADDITION) TO THE TOWN, NOW CITY OF PENDLETON; THENCE RUNNING NORTH 23'35'34" WEST, ALONG THE WESTERLY LINE OF SOUTHWEST 20TH STREET, A DISTANCE OF 278.55 FEET TO THE SOUTHERLY LINE OF SOUTHWEST COURT PLACE; THENCE SOUTH 66'24'34" WEST, ALONG THE SOUTHERLY LINE OF SOUTHWEST COURT PLACE, A DISTANCE OF 717.43 FEET TO THE EASTERLY LINE OF SOUTHWEST 23RD STREET, AS SAID STREET WAS ESTABLISHED BY DEDICATION DEED RECORDED IN MICROFILM R-67, PAGE 292, OFFICE OF UMATILLA COUNTY RECORDS; THENCE RUNNING SOUTH 24'47'38" EAST, ALONG SAID EASTERLY LINE OF SOUTHWEST 23RD STREET, A DISTANCE OF 294.03 FEET TO THE NORTHERLY LINE OF SOUTHWEST DORION AVENUE EXTENSION; THENCE NORTH 65'10'04" EAST, ALONG SAID NORTHERLY LINE OF SOUTHWEST DORION AVENUE EXTENSION, A DISTANCE OF 711.44 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF THE ABOVE DESCRIBED LANDS LYING WITH THE STREET AND AVENUE RIGHT-OF-WAYS, INCLUDING, BUT NOT LIMITED TO THOSE CREATED BY DEDICATION RECORDED IN MICROFILM R-53, PAGE 727, INSTRUMENT 2000-3660871 AND WARRANTY DEED RECORDED IN INSTRUMENT NO. 2005-4840236, OFFICE OF UMATILLA COUNTY RECORDS.

THE LEGAL DESCRIPTION SHOWN ABOVE DESCRIBES ALL THAT PROPERTY IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "FIRST AMERICAN TITLE INSURANCE COMPANY" COMMITMENT NUMBER 3020-9998380101, WITH A COMMITMENT DATE OF FEBRUARY 4, 2020.

OWNER  
ACI REAL ESTATE SPE 129 LLC

OWNER'S ACKNOWLEDGEMENT

KNOW ALL MEN BY THESE PRESENTED THAT WE THE UNDERSIGNED OWNER(S) OF THE LAND HEREIN DESCRIBED DO HEREBY MAKE A DECLARE THIS DIVISION OF LAND IS A LEGAL PLAT PARTITION IN ACCORDANCE WITH THE PROVISION OF ORS CHAPTER 92 AND HAS BEEN MADE BY OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES HEREBY GRANT THE EASEMENTS AS SHOWN HEREON.

IN WITNESS WHEREOF WE HAVE SET OUR HANDS AND SEALS.

[Signature]
DATE 11/12/21 Bradley R. Beckstrom

ON THIS 12th DAY OF November 2021, THE OWNER ACI Real Estate SPE 129 LLC WHO IS THE IDENTICAL INDIVIDUAL DESCRIBED IN AND WHO EXECUTED THE ABOVE OWNERS DECLARATION AND DEDICATIONS, APPEARED BEFORE ME ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FREELY AND VOLUNTARILY.

[Signature]
NOTARY PUBLIC FOR THE STATE OF IDAHO
ADA COUNTY,
Commission No. 1046
Expires 4/12/27

I HERBY CERTIFY, THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PARTITION PLAT

REGISTERED PROFESSIONAL LAND SURVEYOR
M. Hoffmann
OREGON FEBRUARY 19, 1999
MICHAEL A. HOFFMANN 57847LS
EXPIRES: 30 JUNE, 2023
11/10/21

SURVEYOR'S CERTIFICATE

I, MICHAEL A. HOFFMANN, REGISTERED LAND SURVEYOR NO. 57847, FOR THE STATE OF OREGON, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE CORRECTLY EXECUTED, ACCORDING TO ORS CHAPTER 92 AND THE CITY OF PENDLETON LAND USE DEVELOPMENT, A PARTITION OF THAT LAND RECORDED IN DEED RECORDED AS NO. 2001-6870174, MORE PARTICULARLY DELINEATED ON RECORD OF SURVEY NO. S-65-C, THE SOUTHEAST 1/4, OF SECTION 9, AND THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 32 EAST, UMATILLA COUNTY, OREGON.

THE INITIAL POINT OF BEGINNING, BEING THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF SW DORION AVENUE (60.00 FEET IN WIDTH) WITH THE EASTERLY LINE OF THAT LAND DEDICATED UNDER DOCUMENT NUMBER 2000-3660871 ESTABLISHING THE WESTERLY RIGHT-OF-WAY LINE OF SW 20TH STREET AS SHOWN ON OREGON DEPARTMENT OF TRANSPORTATION MAP FOR HORIZONTAL CONTROL, RECOVERY AND RETRACEMENT RECORDED AS FILE NO.18-084-B; THENCE SOUTH 65'10'04" WEST ALONG THE NORTHERLY RIGHT-OF-WAY OF SAID SW DORION AVENUE, 690.89 FEET TO THE EASTERLY LINE OF THAT LAND DEDICATED UNDER DEED DOCUMENT NUMBER 2000-3660871 ESTABLISHING THE EASTERLY RIGHT-OF-WAY OF SW 23RD STREET; THENCE NORTH 24'21'05" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 293.75 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF COURT PLACE(60 FEET WIDE); THENCE NORTH 66'24'24" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 455.13 FEET TO THE MOST WESTERLY POINT OF THAT LAND DEDICATED UNDER DOCUMENT NUMBER 2005-4840236 (OPPOSITE STATION 31+09.17 PER RECORD OF SURVEY UNDER FILE NO. 18-084-B); THENCE ALONG THE SOUTHERLY LINE OF SAID DEED THE FOLLOWING 3 COURSES; 1) NORTH 71'12'10" EAST 119.60 FEET (STA 32+28.35, 40 FEET RIGHT); 2) NORTH 66'24'24" EAST, 78.74 FEET (STA 33+07.09, 40 FEET RIGHT); 3) THENCE SOUTH 65'00'08" EAST, 62.77 FEET TO SAID WESTERLY LINE OF DEED DOCUMENT NUMBER 2000-3660871 (STA 33+62.86, 98.42 FEET RIGHT); THENCE SOUTH 23'36'20" EAST ALONG SAID WESTERLY LINE, 221.71 FEET TO THE INITIAL POINT AND THE TERMINUS OF THIS DESCRIPTION,

CONTAINING 195,514 SQUARE FEET, (4.48 ACRES).

SUBJECT TO ALL OTHER EASEMENTS, AGREEMENTS AND RIGHTS-OF-WAY OF RECORD.

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PARTITION A PARCEL OF LAND DESCRIBED IN DEED DOCUMENT NUMBER 2020-7020505, INTO TWO PARCELS FURTHER REFERENCED HEREON AS PARCEL 1 AND PARCEL 2, UNDER THE DIRECTION OF THE OWNER, ACI REAL ESTATE SPE 129 LLC.

THE NORTHERLY LINES OF THE SUBJECT PROPERTY, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY LINE OF SW COURT PLACE, ARE ESTABLISHED AT 30.00 FEET SOUTHERLY OF AND AT RIGHT ANGLES TO THE CENTER LINE AS ESTABLISHED PER OREGON DEPARTMENT OF TRANSPORTATION MAP RECORDED AS FILE NO.18-084-B, BY FOUND MONUMENTS SET BY RECORD OF SURVEY NO. 00-205-B, AND SURVEY NO. 99-275-B; IN ADDITION, ANGLE POINTS ALONG THE NORTHERLY LINE WERE ESTABLISHED BY STATION/OFFSETS USING SAID MAPS AND AS DESCRIBED IN RECORDED DEED DOCUMENT NUMBER 2005-4840236.

THE EASTERLY LINE OF THE SUBJECT PROPERTY IS ESTABLISHED BY THE ALIGNMENT OF THE CENTERLINE OF SW 20TH STREET BY FOUND MONUMENTS SET BY RECORD OF SURVEY NO. 07-237-C. HOLDING THIS ALIGNMENT THE ADDITIONAL DEDICATION FOR THE WESTERLY RIGHT-OF-WAY LINE, SHOWN HEREON, WAS CALCULATED PER RECORDED DEED DOCUMENT NUMBER 2000-3660871.

THE SOUTH LINE OF THE SUBJECT PROPERTY IS ESTABLISHED BY THE ALIGNMENT OF THE SW DORION EXTENSION BY FOUND MONUMENTS SET BY RECORD OF SURVEY NO. 07-237-C, MORE PARTICULARLY SHOWN HEREON.

THE WEST LINE OF THE SUBJECT PROPERTY, ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF SW 23 RD STREET, WAS ESTABLISHED BY HOLDING THE EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY OF SW DORION EXTENSION PER RECORDED OF SURVEY 07-237-C, AND THE EXTENSION OF THE SOUTHERLY RIGHT-OF-WAY OF SW COURT PLACE PER WAL-MART SUBDIVISION UNDER BOOK 13, PAGE 90, PER FOUND MONUMENTS SET BY SAID RECORDS TO CREATE THE WEST RIGHT-OF-WAY WAY OF SAID STREET. ADDITIONAL DEDICATION WAS ESTABLISHED PER DEED DOCUMENT NO. 2000-3660871.

NOTES

- 1. UTILITY NOTE: THE LOCATION OF UTILITIES SERVING THE SUBJECT PROPERTY CAN ONLY BE DETERMINED BY OBSERVED EVIDENCE TOGETHER WITH PLANS AND MARKINGS PROVIDED BY CLIENT, UTILITY COMPANIES, AND OTHER APPROPRIATE SOURCES. THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY FOR THIS SURVEY WAS DETERMINED BY OBSERVATION OF ABOVE GROUND EVIDENCE. THIS SURVEY WOULD NOT SHOW UTILITIES COVERED BY VEHICLES, OR OVERGROWTH OF FOLIAGE, TREES, BUSH OR SHRUBS.
2. THE BUILDING FOOTINGS WERE NOT EASILY ACCESSIBLE AND THEREFORE THE BUILDING LIMITS SHOWN HEREON, AND THE BUILDING SQUARE FOOT CALCULATIONS, WERE MEASURED ALONG THE BUILDING FASCIA.
3. ITEM NUMBERS SHOWN HEREON ARE STATED AS MATTERS ON REFERENCED COMMITMENT. NO RESPONSIBILITY FOR THE COMPLETENESS, ACCURACY, OR CONTENT OF SAID REPORT IS ASSUMED BY THIS MAP.
4. THIS SURVEY WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF OREGON.
5. THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 3020-9998380101 WITH A COMMITMENT DATE OF FEBRUARY 4, 2020 AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
6. SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION "X" (UNSHADED) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 41059C1016G, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 3, 2010, FOR COMMUNITY NO. 410211 1016 G, IN UMATILLA COUNTY, STATE OF OREGON, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
7. THE SUBJECT PROPERTY HAS DIRECT PEDESTRIAN/VEHICULAR ACCESS TO/FROM SW DORION EXTENSION, SW 23RD AVENUE, AND SW COURT PLACE. BEING PUBLIC DEDICATED RIGHTS-OF-WAY.
8. COVENANTS, CONDITIONS AND RESTRICTIONS ARE RECORDED UNDER THE INSTRUMENT NO. \_\_\_\_\_.

PARTITION PLAT NO. 2021-33

THE SOUTHEAST 1/4, OF SECTION 9, AND THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 32 EAST, UMATILLA COUNTY, OREGON SEPTEMBER 30, 2021

APPROVALS

I DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ACCOMPANYING PLAT, THAT IT COMPLIES WITH THE LAWS OF THE STATE OF OREGON WITH REFERENCES TO THE FILING AND RECORDING OF SUCH PLATS AND I THEREFORE APPROVE SAID PLAT.

[Signature]
UMATILLA COUNTY SURVEYOR

DATED THIS 1 DAY OF Dec., 2021

I HERE CERTIFY THIS PARTITION WAS EXAMINED AND APPROVED AS OF THIS 18th DAY OF November, 2021

[Signature]
CITY OF PENDLETON SURVEYOR

I HERE CERTIFY THIS PARTITION WAS EXAMINED AND APPROVED AS OF THIS 18th DAY OF November, 2021

[Signature]
CITY OF PENDLETON PLANNER

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES, SPECIAL ASSESSMENTS, FEES, AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 2021-2022 TAX ROLL WHICH BECAME A LIEN OR WILL BECOME A LIEN ON THIS PARTITION PLAT DURING THIS TAX YEAR BUT NOT YET CERTIFIED TO THE TAX COLLECTOR HAVE BEEN PAID TO ME.

Rachael Reynolds by M. Ryan
UMATILLA COUNTY TAX COLLECTOR DEPUTY
I CERTIFY THAT ALL TAXES HAVE BEEN PAID AS OF THIS DATE

STATE OF OREGON, COUNTY OF UMATILLA }
I certify that this instrument was received and recorded on 12-01-2021 at 1:46 o'clock p. m., in the record of PLATS of said County. YEAR 2021 NUMBER 33 OFFICE OF COUNTY RECORDS By: STEVE CHURCHILL Records Officer Fee \$ 120.00 No. 2021-7320494

COUNTY CLERK BY \_\_\_\_\_ DEPUTY.

RECEIVED BY
Umatilla County Surveyor
Date: 12/7/21
Rec'd By: CT
No: 21-132-B

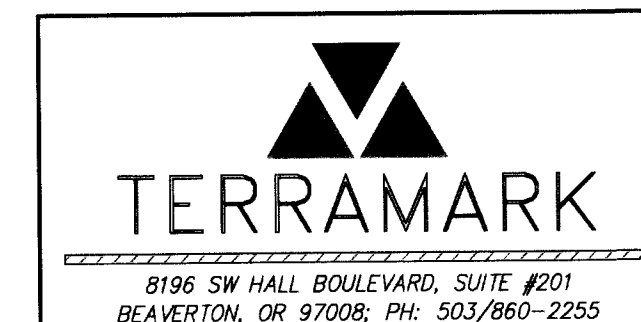


Table with 2 columns: SHEET 1 OF 2, CHECKED BY: M.A.H., DATE: 9/30/2021, DRAWN BY: J.L.T., JOB NO: 20214453.20204173, VISION NO: 147532.20R000011.368

**BASIS OF BEARINGS**

THE BEARINGS SHOWN HEREON ARE BASED PER MONUMENTS FOUND ALONG THE SOUTH LINE OF SW DORION STREET AS SHOWN ON A RECORD OF SURVEY, FILED AS SURVEY NO. 07-237-C IN THE OFFICE OF THE UMATILLA COUNTY SURVEYOR, STATE OF OREGON, BEING SOUTH 65°10'04" WEST.

**EQUIPMENT**

EQUIPMENT AND PROCEDURES: THIS SURVEY WAS PERFORMED WITH A LEICA TS16.

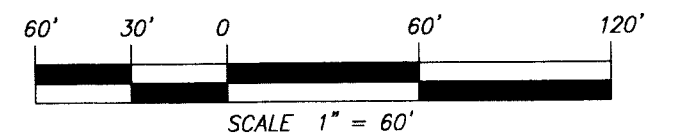
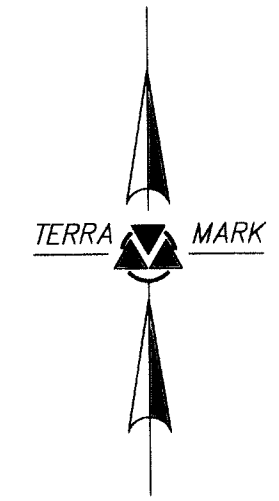
**REFERENCES**

- (R1) SURVEY NO. 07-237-C
- (R2) SURVEY NO. 18-084-B (ODOT)
- (R3) SURVEY NO. 89-100-C
- (R4) SURVEY NO. 88-85-C
- (R5) SURVEY NO. 00-205-B
- (R6) SURVEY NO. 99-275-B

**PARTITION PLAT NO. 2021-33**

THE SOUTHEAST 1/4, OF SECTION 9, AND  
THE SOUTHWEST 1/4 OF SECTION 10,  
TOWNSHIP 2 NORTH, RANGE 32 EAST,  
UMATILLA COUNTY, OREGON  
SEPTEMBER 30, 2021

CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
CT(C,R5)	34.56'	22.00'	90°00'08"	S21°24'30"W 31.11'



STATE OF OREGON, COUNTY OF UMATILLA }  
I certify that this instrument was received and recorded on 12-01-2021 at 1:46 o'clock p.m., in the record of PLATS of said County. YEAR NUMBER 2021 33 OFFICE OF COUNTY RECORDS  
By: STEVE CHURCHILL Records Officer  
Fee \$ 120.00 No. 2021-7320494

I HERBY CERTIFY, THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PARTITION PLAT

REGISTERED PROFESSIONAL LAND SURVEYOR

11/10/21  
MICHAEL A. HOFFMANN  
DREGON FEBRUARY 19, 1999  
57847LS  
EXPIRES: 30 JUNE, 2023

RECEIVED BY  
Umatilla County Surveyor  
Date: 12/7/21  
Rec'd By: CT  
No: 21-132-B

SURVEY IN: THE SOUTHEAST 1/4, OF SECTION 9, AND THE SOUTHWEST 1/4 OF SECTION 10, TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M., UMATILLA COUNTY, OREGON	
SHEET 2 OF 2	CHECKED BY: M.A.H.
DATE: 9/30/2021	DRAWN BY: J.L.T.
JOB NO: 20214453.20204173	VISION NO: 147532.20R000011.368

- LEGEND**
- B.C. BRASS CAP
  - (C) CALCULATED DATA
  - FD. FOUND
  - INST. INSTRUMENT
  - I.R. IRON ROD
  - (M) MEASURED DATA
  - P.L. PROPERTY LINE
  - Y.P.C. YELLOW PLASTIC CAP
  - 5/8" IRON ROAD & CAP "57847LS" TO BE SET
  - FOUND MONUMENT AS NOTED

