

ORDINANCE NO. 1148

AN ORDINANCE ANNEXING CERTAIN PROPERTIES INTO THE
CITY OF PRINEVILLE AND REZONING SAID PROPERTIES

1. The Common Council of the City of Prineville specifically finds that:

(A) The properties identified below, as shown on the attached "Annexation Maps" set forth as Exhibit "A" of this Ordinance, and further described as set forth in Exhibit "B" are contiguous to the City of Prineville.

(1) Item #1: Tax Lot 100 of Crook County Assessor's Map Township 14 South, Range 16 East, Section 31A.

(a) Upon annexation, the subject property shall be rezoned to General Industrial M-1 as set forth by City Ordinance No. 1057 corresponding to the existing uses and/or County Zoning.
(Vacant Land)

(2) Item #2: Tax Lot 100 of Crook County Assessor's Map Township 14 South, Range 16 East, Section 30DD.

(a) Upon annexation, the subject property shall be rezoned to General Residential R-2 as set forth by City Ordinance No. 1057 corresponding to the existing uses and/or County Zoning.
(2473 N. Main St, Prineville OR 97754)

(3) Item #3: Tax Lot 300 of Crook County Assessor's Map Township 14 South, Range 16 East, Section 30DD.

(a) Upon annexation, the subject property shall be rezoned to General Residential R-2 as set forth by City Ordinance No. 1057 corresponding to the existing uses and/or County Zoning.
(235 NW Terrace Ln, Prineville OR 97754)

(4) Item #4: Tax Lots 7101, 7200, 7300 of Crook County Assessor's Map Township 15 South, Range 16 East, Section 4B.

(a) Upon annexation, the subject property shall be rezoned to General Residential R-2, Heavy Industrial, M-2, and General Commercial C-2 as set forth by City Ordinance No. 1057 corresponding to the existing uses and/or County Zoning.
(200 SE Combs Flat Road, Prineville OR 97754)

(5) Item #5: Tax Lot 2900 of Crook County Assessor's Map Township 15 South, Range 16 East, Section 4C.

(a) Upon annexation, the subject property shall be rezoned to General Industrial M-2 as set forth by City Ordinance No. 1057 corresponding to the existing uses and/or County Zoning.

(Vacant Land, Prineville OR 97754)

(6) Item #6: Tax Lots 100, and 116 of Crook County Assessor's Map Township 14 South, Range 16 East, Section 29. Tax Lot 100 of Crook County Assessor's Map Township 14 South, Range 16 East, Section 29AD.

(a) Upon annexation, the subject property shall be rezoned to General Residential as set forth by City Ordinance No. 1057 corresponding to the existing uses and/or County Zoning.

(Vacant Land, Prineville OR 97754, 14-16-29 TL 116)

(1400 & 1402 NE Barnes Butte Road, Prineville OR 97754, 14-16-29 TL 100)

(Vacant Land, Prineville OR 97754, 14-16-29AD TL 100)

(A) The property owners and electors, as applicable, of said properties have duly petitioned and/or requested the City for annexation in order to receive City sewer and/or water services.

(B) The City Planning Department has duly considered the subject annexation and rezoning issues and has recommended annexation and certain rezoning of said properties in compliance with the City's Urban Area Comprehensive Plan and the Urban Growth Boundary Management Agreement between Crook County and the City of Prineville.

Therefore THE PEOPLE of the City of Prineville ordain as follows:

2. The real properties identified in Exhibit "A" to this Ordinance, and as described in Exhibit "B" to this Ordinance and as shown on the Annexation map set forth in Exhibit "A" to this Ordinance are hereby Annexed.
3. The Real Properties identified in Exhibit "A" to this Ordinance are hereby rezoned as set forth above in Subsection 1(A) of this Ordinance and as shown on said Exhibit "A" in compliance with the City's Comprehensive Plan and City policy concerning the rezoning of annexed properties for compatibility with the existing uses and/or previous Crook County zoning designation.

4. The annexation of this property is necessary to provide certain urban services, including public sewer and water, to the property in order to maintain their viability as existing residential and commercial property.

APPROVED BY THE CITY COUNCIL ON THE _____ DAY OF _____, 2007.

APPROVED BY THE MAYOR ON THE _____ DAY OF _____, 2007.

Mike Wendel, Mayor

Attest: _____
Date:

Robb Corbett
City Manager

Exhibit "A-1"
14-16-31A TL 100

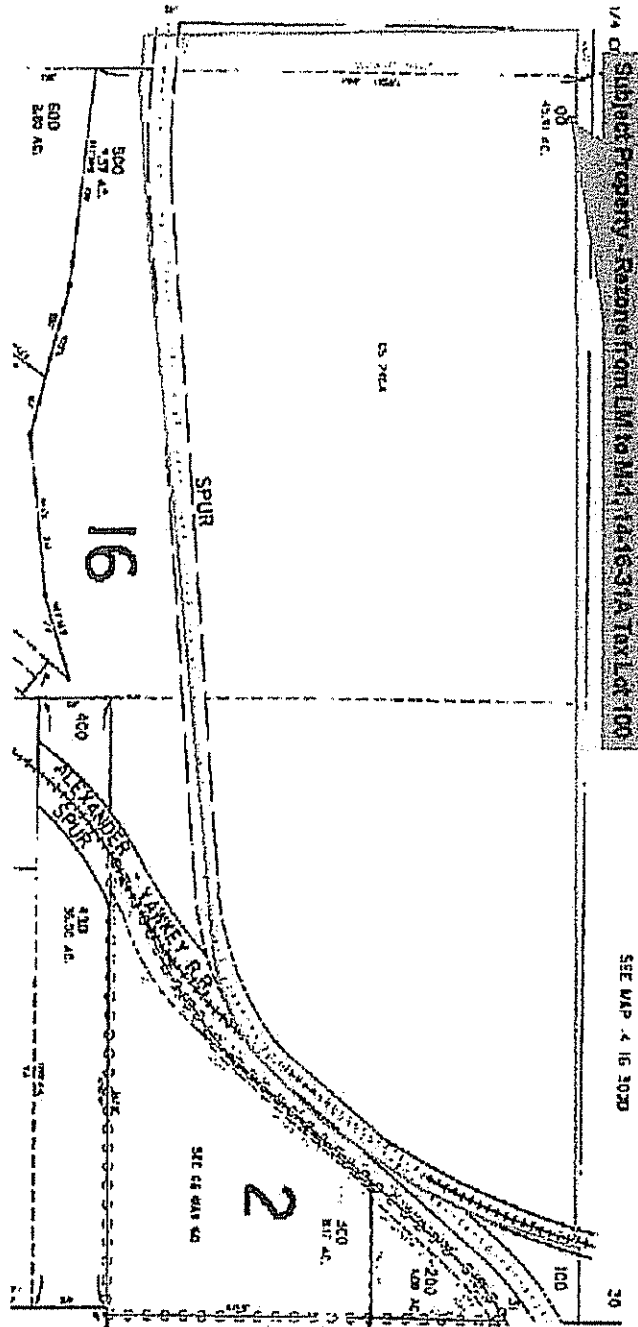
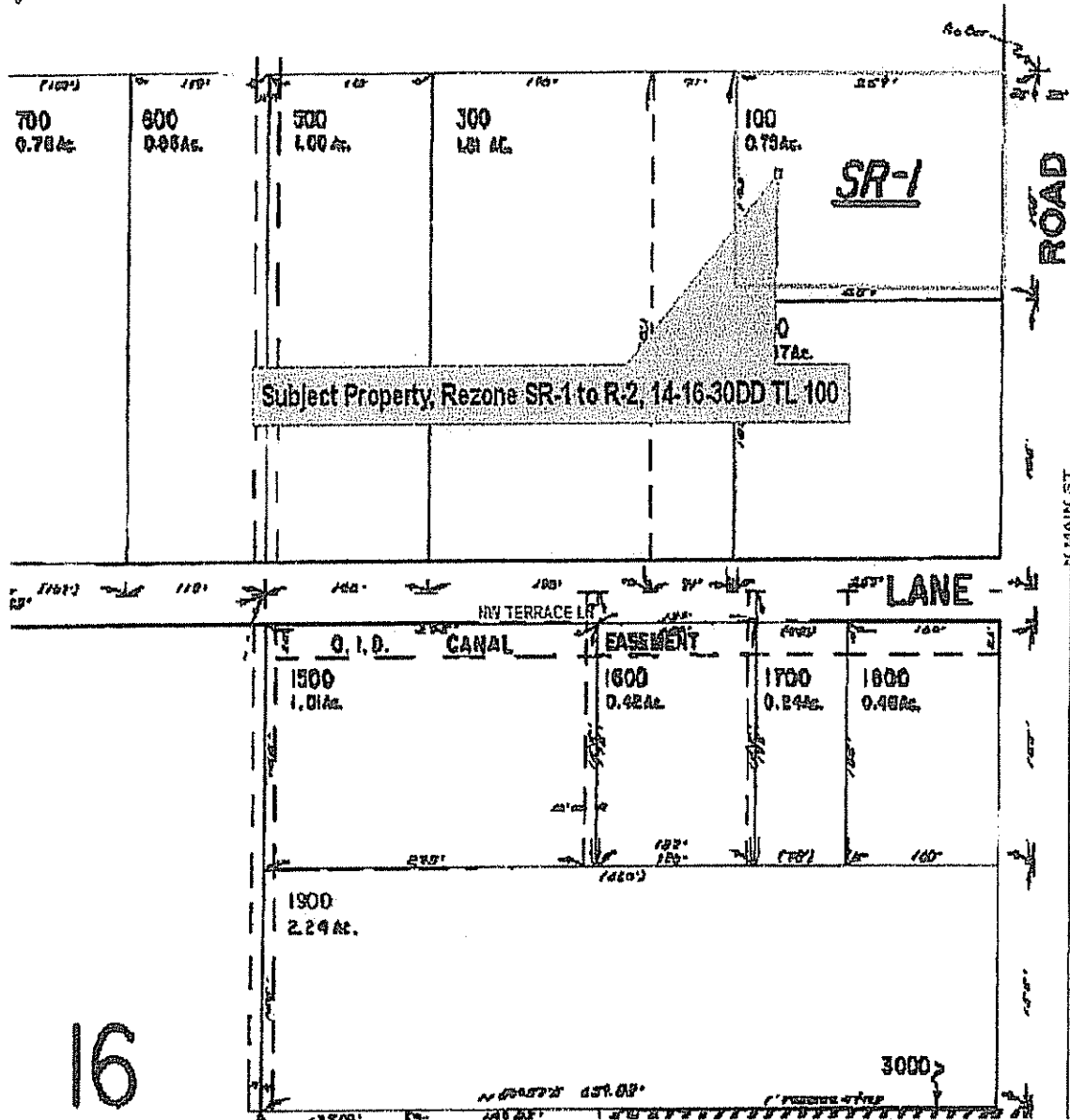


Exhibit "B-1"
Legal Description
14-16-31A TL 100

Item #1: Beginning at the North One-Quarter corner of Section 31, Township 14 South, Range 16 East, Willamette Meridian, Crook County, Oregon, also being the Southwest corner of lot 22 of Buckaroo Acres, records of Crook County, Oregon, thence North 89°42'57" East along the South line of lots 22 and 23 of Buckaroo Acres a distance of 568.17 feet; thence North 89°54'33" East along the South line of lot 25 of Buckaroo Acres a distance of 124.82 feet; thence North 89°31'00" East along the South line of lot 26 of Buckaroo Acres a distance of 149.90 feet; thence North 89°45'19" East along the South line of lot 29 of Buckaroo Acres a distance of 250.08 feet to the Southeast corner of said lot 29 of Buckaroo Acres, also being the Southwest corner of lot 8 of McKay Acres No. 2 Subdivision, records of Crook County, Oregon; thence North 89°40'53" East along the South line of lots 8, 5 and 4 of said plat a distance of 1288.50 feet to the West line of North Main Street; thence South 00°16'13" West along said line a distance of 36.23 feet to the North line of that parcel of land conveyed to the City of Prineville by deed recorded in book 50 at page 197 on March 16, 1938, Records of Crook County, Oregon; thence along said line around a 627.99 feet radius curve left a distance of 229.56 feet, long chord bears South 42°10'00" West, 228.29 feet; thence South 39°54'00" West along said line a distance of 565.00 feet; thence along said line around an 1102.22 feet radius curve right a distance of 69.89 feet, long chord bears South 42°10'00" West, 69.88 feet to the Northerly line of that right of way easement conveyed to the City of Prineville by deed recorded in book 66 at page 83 on April 23, 1951, records of Crook County, Oregon; thence along said line around a 612.14 feet radius non-tangential curve right a distance of 357.01 feet, long chord bears south 68°28'24" West, 351.97 feet; thence South 85°10'53" West along said line a distance of 1452.81 feet; thence along said line around a 1407.40 feet radius curve right a distance of 227.35 feet, long chord bears South 89°48'33" West, 227.10 feet; thence North 85°33'47" West a distance of 144.32 feet; thence leaving said line North 00°00'48" West a distance of 894.74 feet to the North line of the NE1/4 NW1/4 of said Section 31; thence South 89°42'57" East along said line a distance of 100.00 feet to the point of beginning.

Exhibit "A-2"
14-1630DD TL 100



R2

Exhibit "B-2"
Legal Description
14-1630DD TL 100

Item #1: A parcel of land located in the Southeast one-quarter (SE1/4 SE1/4) of Section 30, Township 14 South, Range 16 East, Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of said Section 30, thence West along the North line of said SE1/4 SE1/4 a distance of 520 feet; thence South along the West line of the East 190 feet of the Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southeast one-quarter (NW1/4 NE1/4 SE1/4 SE1/4) of said Section 30 a distance of 310 feet to the North right of way line of N.W. Terrace Lane; thence East along said right of way line a distance of 261 feet; thence North along the East line of the West 71 feet of the Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southeast one-quarter (NE1/4 NE1/4 SE1/4 SE1/4) of said Section 30 a distance of 165 feet; thence East a distance of 259 feet to the East line of the said SE1/4 SE1/4; thence North along said East line a distance of 145 feet to the Point of Beginning.

Exhibit "A-3"
14-16-30DD TL 300

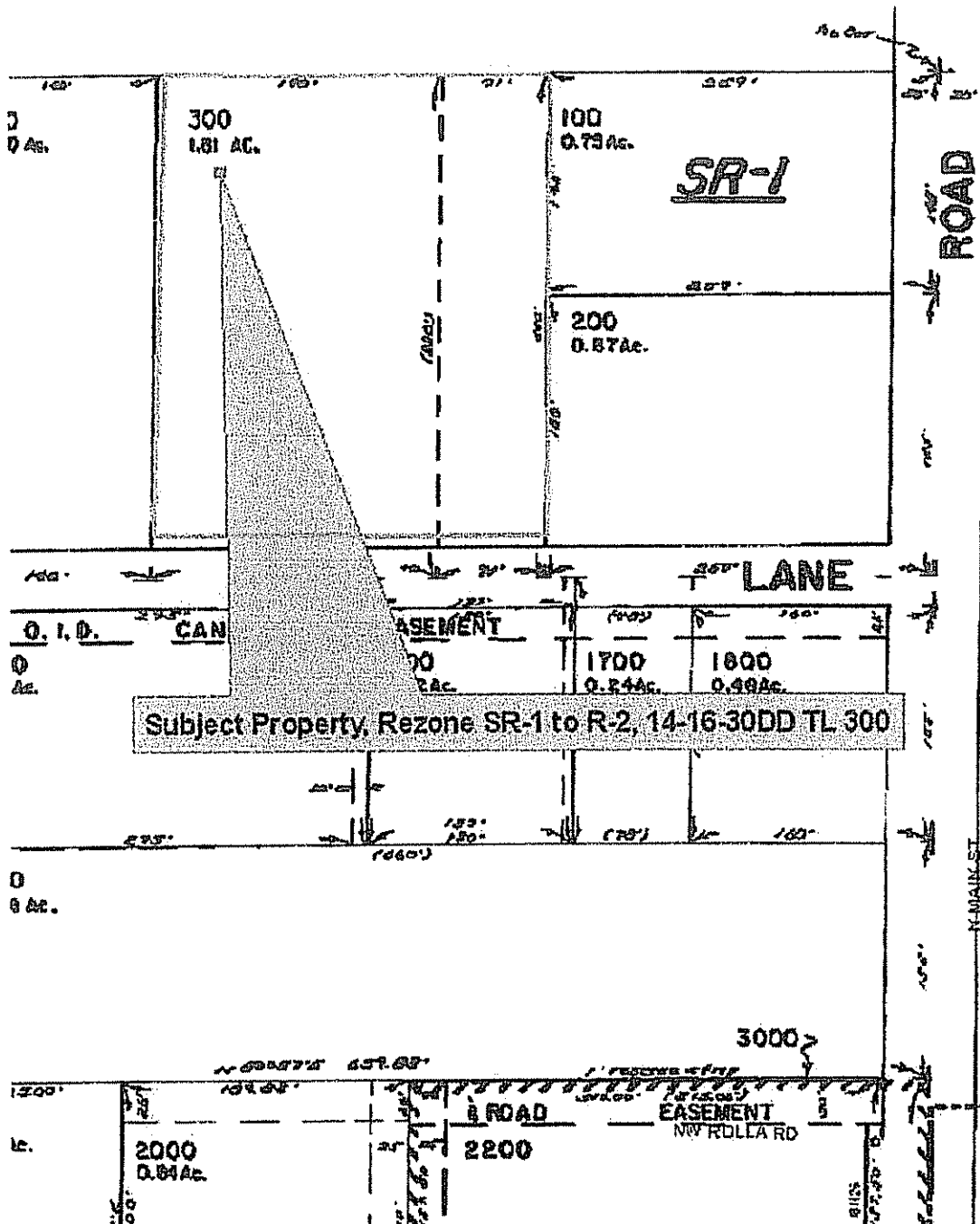
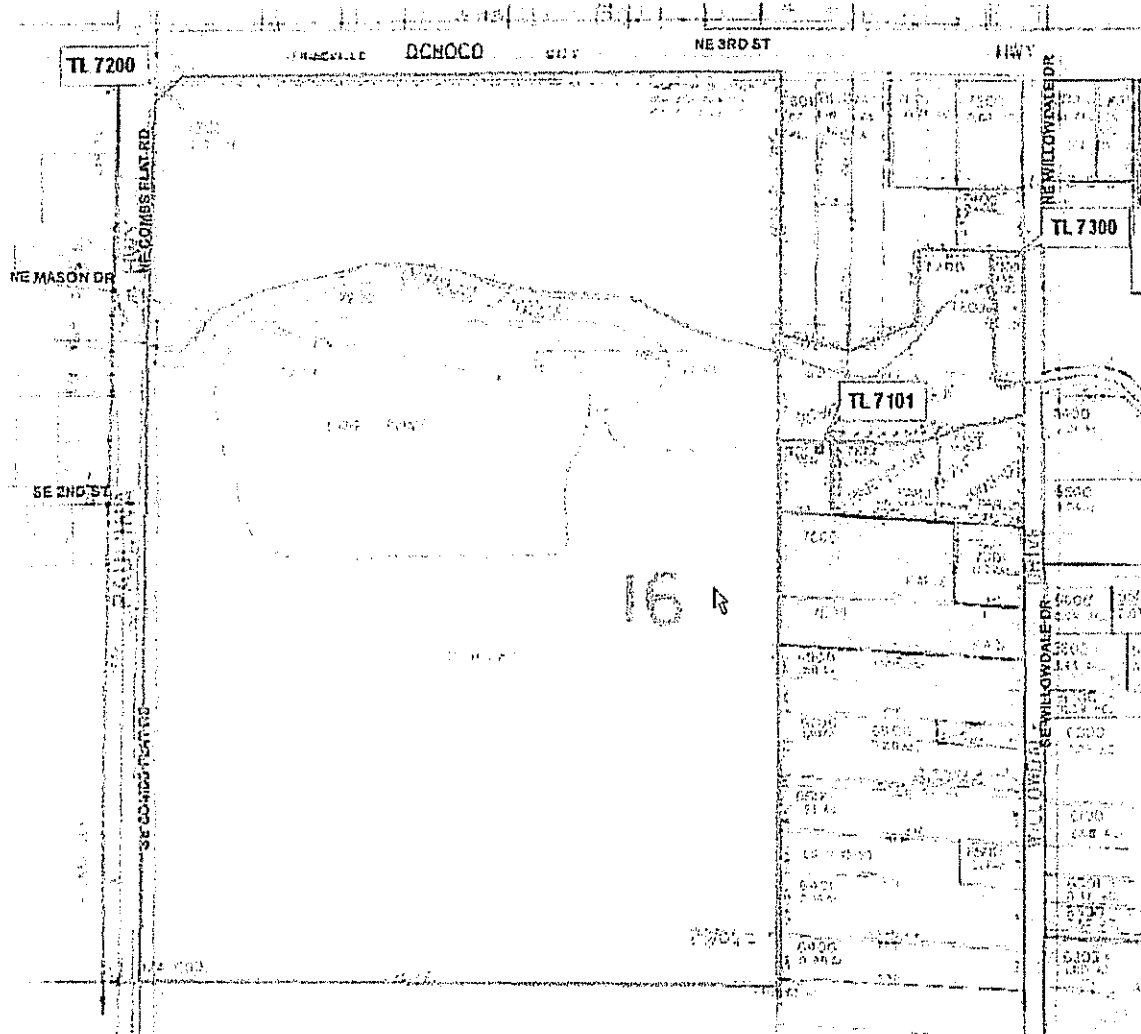


Exhibit "B-3"
Legal Description
14-16-30DD TL 300

Item #1: A parcel of land located in the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 30, Township 14 South, Range 16 East, Willamette Meridian, Crook County, Oregon, more particularly described as follows: Beginning at the Northeast corner of the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of said Section 30, thence West along the North line of said SE1/4 SE1/4 a distance of 520 feet; thence South along the West line of the East 190 feet of the Northwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of the Southeast one-quarter (NW1/4 NE1/4 SE1/4 SE1/4) of said Section 30 a distance of 310 feet to the North right of way line of N.W. Terrace Lane; thence East along said right of way line a distance of 261 feet; thence North along the East line of the West 71 feet of the Northeast one-quarter of the Southeast one-quarter of the Southeast one-quarter (NE1/4 NE1/4 SE1/4 SE1/4) of said Section 30 a distance of 165 feet; thence East a distance of 259 feet to the East line of said SE1/4 SE1/4; thence North along said East line a distance of 145 feet to the Point of Beginning.

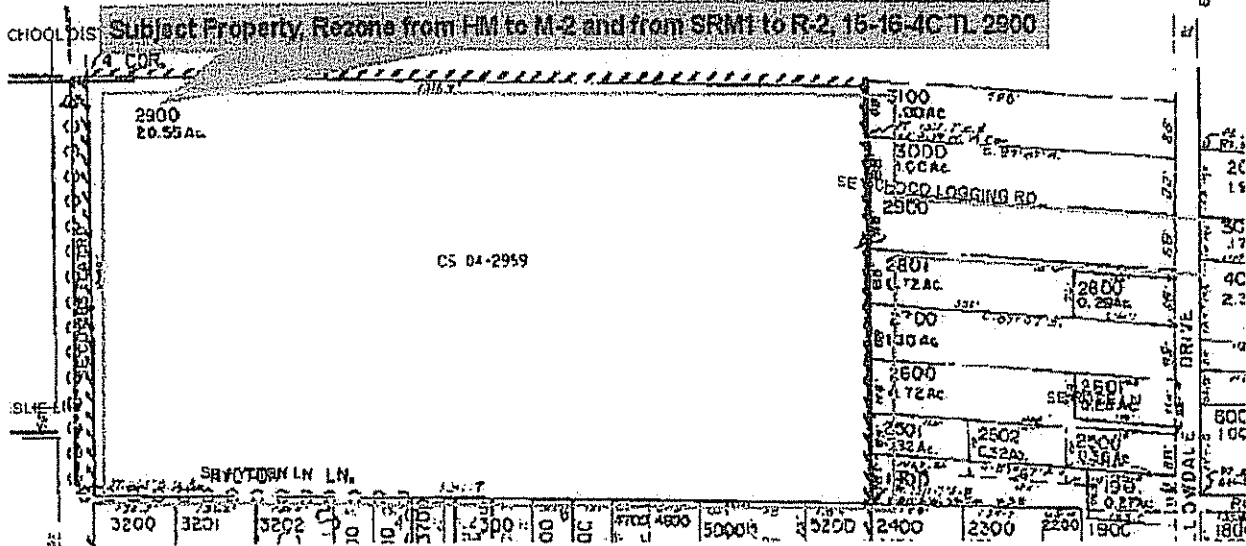
Exhibit "A-4"
15-16-4B TL's 7101, 7200, 7300

Rezone portion of TL 7200 from HM to M-2, and a portion from LC to C-2 and a portion from SRM1 to R-2. Rezone TL 7101 & 7300 to R-2.



12

SFF MAP 15 16 4D



BOUNDARY SURVEY OF OCHOCHO LUMBER COMPANY PROPERTY IN THE W1/2 OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M., CROOK COUNTY, OREGON W.O. 04-2959

SURVEY NARRATIVE

RECORDED
PROFESSIONAL
LAND SURVEYOR
David E. Smith
DAVID E. SMITH
1995

WE WERE EMPLOYED BY OCHOCHO LUMBER COMPANY TO RECONSTRUCT A BOUNDARY SURVEY OF THEIR PROPERTY LING BETWEEN THE
PALLAS HIGHWAY AND WILLOWDALE ROAD AND SOUTH OF THE OCHOCHO HIGHWAY BEING THEIR FORMER PLANT SITE. THE SURVEY WAS NOT
INCLUDE SURVEY OF THE PROPOSED BATTERY POINT OF WAY AS IT IMPACTS THE PROPERTY AS THAT POINT OF WAY IS IN THE POSSESSION OF
OCHOCHO LUMBER COMPANY. I RECONSTRUCTED THE SURVEY RECORDS AND DEED RECORDS TO DETERMINE THE METHOD
OF SURVEY FOR THE VARIOUS LINES. THE SURVEY OF THE LINE PROBLEMS CAN BE BROKEN INTO SEVERAL SITES AND ARE COVERED
HEREIN IN MORE DETAIL.

AN OVERVIEW OF THE PROJECT DEED HISTORY IS NECESSARY TO UNDERSTAND THE TREATMENT FOR EACH AREA. THE NORTH LINE IS
LOCATED ALONG THE SOUTH OCHOCHO HIGHWAY RIGHT OF WAY AS ORDERED TO THE STATE OF OREGON BY DEED BOOK 49 AT PAGE 80. THIS
RIGHT OF WAY WAS LATER EXCHANGED BY DEED BOOK 49 AT PAGE 80 WHICH ADDED A TRIANGULAR PARCEL AT THE NORTHWEST CORNER
LAND BEHIND FROM SARA BROWN (STEWART) AND HERMANO TO F.A. HENRY AND WIFE IN DEED BOOK 51 AT PAGE 243 RECORDED MAY 21,
1910. THIS PARCEL WAS INTERFERED TO AUSTIN SOUTH RIGHT OF WAY LINE OF THE OCHOCHO HIGHWAY AS COMPLETED TO THE STATE OF
OREGON IN DEED BOOK 40 AT PAGE 24 RECORDED OCTOBER 24, 1913. SARA BROWN (STEWART) WAS CONVEYED TO THE SUELE PROPERTY AT
DEED BOOK 40 AT PAGE 24 RECORDED OCTOBER 24, 1913. THE LINES THROUGH NUMEROUS DEEDS OVER A SPAN OF YEARS. AT
PROBABILITY IN DEED BOOK 41 AT PAGE 340 (HENRY) WAS THE LINE TO THE POINT OF BEGINNING FROM THE NORTHWEST CORNER OF
SECTION 4. THIS LINE WAS EXCHANGED WITH DEED AS BALLY FEET SOUTH OF SARA BROWN CORNER FROM THE LINE BY CALCULATION FROM
THE OCHOCHO HIGHWAY DEED BOOK 49 AT PAGE 80 WHICH ADDED A TRIANGULAR PARCEL AT THE NORTHWEST CORNER FROM
POINT OF BEGINNING OF THE OCHOCHO HIGHWAY SOUTH RIGHT OF WAY LINE BUT THAT CALL WAS LATER ON THE
ORIGINAL DEED. AFTER REVIEWING THE AREA DEEDS IT IS CLEAR THAT THE HIGH PROPERTY WAS TO BE THE WEST LINE OF THE E/2
H/4 AND THE OCHOCHO HIGHWAY WITH THE NORTH-SOUTH LINES PARALLEL WITH SARA BROWN CORNER AND THE EAST-WEST LINES
PARALLEL WITH THE OCHOCHO HIGHWAY SOUTH LINE. I PROCEEDED TO LOCATE THE VARIOUS DEEDS OUT FROM THE LINE BY CALCULATION FROM
THE LINE OF THE PROPERTY ACQUIRED UNDER BOOK 45 AT PAGE 243. THE REASON FOR THE CLOSING LINE ON THE DEED WAS 45-DECEMBER
AND SHOULD HAVE BEEN CLOSE TO THE MEASURED PER THE SURVEY OF THE DISTANCES FOR THE EAST AND WEST LINES OF THE PARCEL.
THE NEXT SURVEYED PARCEL WAS THAT CONVEYED TO OCHOCHO LUMBER COMPANY FROM TERRY CLOSE THOMAS AND HERMANO IN DEED BOOK
01 AT PAGE 150 RECORDED SEPTEMBER 12, 1936. THIS PARCEL WAS ORIGINALLY CREATED BY DEED FROM SARA STEWART TO FLORENCE Q
FOX IN DEED BOOK 53 AT PAGE 322 RECORDED OCTOBER 13, 1942. THIS PARCEL WAS DECEDED OUT FROM SARA STEWART
OCCURRED FROM THE NORTH 1/4 CORNER MEASUREMENT OF FROM THE HIGH SECTION CORNER AS PER THE HIGH PROPERTY AND ITS SUCCESSION
PARCELS. SINCE THE DESCRIPTIONS COME FROM TWO POINTS AND WERE NOT SURVEYED A POSSIBLE MATCH PROBLEM CAN EXIST AND IN
THIS CASE AN OVERLAP OCCURS. IF YOU EXAMINE THE DEEDS ALONG OCHOCHO HIGHWAY EAST OF WILLOWDALE ROAD AS EXAMINED BY MY
SURVEY OF TOWNSHIP 15 AND 16-14 CORNER AS C.S. 1777 ON JULY 12, 1978. THESE PARCELS CAN BE ADDED UP TO TOTAL 26,535
IN EASTING DIRECTION THE HIGH SECTION CORNER AND 1/4 CORNER BY SUMMATION. SINCE THE HIGH SECTION SURVEY OF C.S. 40
INDICATED A REDUCED DISTANCE OF 26,019 FEET BETWEEN THESE CORNERS WITH A TOTAL OF 13,005 FEET VALUABLE IN THE W1/2 H/4 WE CAN
CAN EXERCISE AN OVERLAP OF 16,005 FEET LINES EQUALS 13,005 FEET OR 1/2 FEET SINCE THE MODERN SURVEY INDICATE
THIS TOTAL DISTANCE BETWEEN THE H/4 AND H/4 CORNERS IS 26,019 FEET WITH 13,005 FEET VALUABLE IN THE W1/2 H/4 WE CAN
EXPECT AN OVERLAP OF 13,014 FEET BEING 13,005 FEET LESS 13,005 FEET (20 FEET). BECAUSE WEST AND EAST
LINES OF THE E/2 H/4 ARE NOT PARALLEL, SOME SMALL VARIATION CAN BE EXPECTED. THE REASON FOR THIS 20 FEET OVERLAP IS
PROBABLY DUE TO THE INSTANT USE OF THE FENCE ALONG THE EAST LINE OF THE E/2 H/4 AS BEING ON LINE AND
STEWART/CHANNES MEASURING FROM SAME FOR PROPERTY LOCATION. AS NOTED IN C.S. 1777 THE FENCE IS ABOUT 20 FEET EAST OF THE
LINE LINE SO THE PROPERTIES WERE LOST OUT OF THEIR TRUE LOCATION BY THAT AMOUNT. THIS MADE IT APPEAR THAT MORE LINES
WERE AVAILABLE FOR DISPOSAL AND CREATED THE OVERLAP. WHEN STEWART CALLED TO FOR THE TWO PARCELS AND A 25 FEET GAP
BETWEEN THEM. STEWART LATER CHANGED WILLOWDALE ROAD TO CROOK COUNTY IN DEED BOOK 50 AT PAGE 116 RECORDED WHICH
CREATED A 20 FOOT RIGHT OF WAY FOR THE FIRST 125 FEET SOUTH OF THE OCHOCHO HIGHWAY AND A 40 FEET RIGHT OF WAY SOUTH OF
THAT.

THE NEXT SITE FOR REVIEW IS THE PARCEL OF LAND ALONG OCHOCHO CREEK AT THE E/2 H/4 OF SECTION 4. THIS
PROPERTY WAS ACQUIRED UNDER A NUMBER OF DEEDS WHICH HAVE VARIOUS POINTS OF BEGINNING TWO TO SEVERAL. EXTENSIVE CORRESPONDENCE
SECTION 4. THE FIRST LINE OF REVIEW IS THE LINE NORTH OF OCHOCHO CREEK AND BOUNDED BY SEVERAL PARCELS CREATED OUT OF THAT
LAND BEHIND FROM SARA BROWN (STEWART) AND HERMANO TO F.A. HENRY AND WIFE IN DEED BOOK 51 AT PAGE 243 RECORDED MAY 21,
1910. THIS PARCEL WAS INTERFERED TO AUSTIN SOUTH RIGHT OF WAY LINE OF THE OCHOCHO HIGHWAY AS COMPLETED TO THE STATE OF
OREGON IN DEED BOOK 40 AT PAGE 24 RECORDED OCTOBER 24, 1913. SARA BROWN (STEWART) WAS CONVEYED TO THE SUELE PROPERTY AT
DEED BOOK 40 AT PAGE 24 RECORDED OCTOBER 24, 1913. THE LINES THROUGH NUMEROUS DEEDS OVER A SPAN OF YEARS. AT
PROBABILITY IN DEED BOOK 41 AT PAGE 340 (HENRY) WAS THE LINE TO THE POINT OF BEGINNING FROM THE NORTHWEST CORNER OF
SECTION 4. THIS LINE WAS EXCHANGED WITH DEED AS BALLY FEET SOUTH OF SARA BROWN CORNER FROM THE LINE BY CALCULATION FROM
THE OCHOCHO HIGHWAY DEED BOOK 49 AT PAGE 80 WHICH ADDED A TRIANGULAR PARCEL AT THE NORTHWEST CORNER FROM
POINT OF BEGINNING OF THE OCHOCHO HIGHWAY SOUTH RIGHT OF WAY LINE BUT THAT CALL WAS LATER ON THE
ORIGINAL DEED. AFTER REVIEWING THE AREA DEEDS IT IS CLEAR THAT THE HIGH PROPERTY WAS TO BE THE WEST LINE OF THE E/2
H/4 AND THE OCHOCHO HIGHWAY WITH THE NORTH-SOUTH LINES PARALLEL WITH SARA BROWN CORNER AND THE EAST-WEST LINES
PARALLEL WITH THE OCHOCHO HIGHWAY SOUTH LINE. I PROCEEDED TO LOCATE THE VARIOUS DEEDS OUT FROM THE LINE BY CALCULATION FROM
THE LINE OF THE PROPERTY ACQUIRED UNDER BOOK 45 AT PAGE 243. THE REASON FOR THE CLOSING LINE ON THE DEED WAS 45-DECEMBER
AND SHOULD HAVE BEEN CLOSE TO THE MEASURED PER THE SURVEY OF THE DISTANCES FOR THE EAST AND WEST LINES OF THE PARCEL.
THE NEXT SURVEYED PARCEL WAS THAT CONVEYED TO OCHOCHO LUMBER COMPANY FROM TERRY CLOSE THOMAS AND HERMANO IN DEED BOOK
01 AT PAGE 150 RECORDED SEPTEMBER 12, 1936. THIS PARCEL WAS ORIGINALLY CREATED BY DEED FROM SARA STEWART TO FLORENCE Q
FOX IN DEED BOOK 53 AT PAGE 322 RECORDED OCTOBER 13, 1942. THIS PARCEL WAS DECEDED OUT FROM SARA STEWART
OCCURRED FROM THE NORTH 1/4 CORNER MEASUREMENT OF FROM THE HIGH SECTION CORNER AS PER THE HIGH PROPERTY AND ITS SUCCESSION
PARCELS. SINCE THE DESCRIPTIONS COME FROM TWO POINTS AND WERE NOT SURVEYED A POSSIBLE MATCH PROBLEM CAN EXIST AND IN
THIS CASE AN OVERLAP OCCURS. IF YOU EXAMINE THE DEEDS ALONG OCHOCHO HIGHWAY EAST OF WILLOWDALE ROAD AS EXAMINED BY MY
SURVEY OF TOWNSHIP 15 AND 16-14 CORNER AS C.S. 1777 ON JULY 12, 1978. THESE PARCELS CAN BE ADDED UP TO TOTAL 26,535
IN EASTING DIRECTION THE HIGH SECTION CORNER AND 1/4 CORNER BY SUMMATION. SINCE THE HIGH SECTION SURVEY OF C.S. 40
INDICATED A REDUCED DISTANCE OF 26,019 FEET BETWEEN THESE CORNERS WITH A TOTAL OF 13,005 FEET VALUABLE IN THE W1/2 H/4 WE CAN
CAN EXERCISE AN OVERLAP OF 16,005 FEET LINES EQUALS 13,005 FEET OR 1/2 FEET SINCE THE MODERN SURVEY INDICATE
THIS TOTAL DISTANCE BETWEEN THE H/4 AND H/4 CORNERS IS 26,019 FEET WITH 13,005 FEET VALUABLE IN THE W1/2 H/4 WE CAN
EXPECT AN OVERLAP OF 13,014 FEET BEING 13,005 FEET LESS 13,005 FEET (20 FEET). BECAUSE WEST AND EAST
LINES OF THE E/2 H/4 ARE NOT PARALLEL, SOME SMALL VARIATION CAN BE EXPECTED. THE REASON FOR THIS 20 FEET OVERLAP IS
PROBABLY DUE TO THE INSTANT USE OF THE FENCE ALONG THE EAST LINE OF THE E/2 H/4 AS BEING ON LINE AND
STEWART/CHANNES MEASURING FROM SAME FOR PROPERTY LOCATION. AS NOTED IN C.S. 1777 THE FENCE IS ABOUT 20 FEET EAST OF THE
LINE LINE SO THE PROPERTIES WERE LOST OUT OF THEIR TRUE LOCATION BY THAT AMOUNT. THIS MADE IT APPEAR THAT MORE LINES
WERE AVAILABLE FOR DISPOSAL AND CREATED THE OVERLAP. WHEN STEWART CALLED TO FOR THE TWO PARCELS AND A 25 FEET GAP
BETWEEN THEM. STEWART LATER CHANGED WILLOWDALE ROAD TO CROOK COUNTY IN DEED BOOK 50 AT PAGE 116 RECORDED WHICH
CREATED A 20 FOOT RIGHT OF WAY FOR THE FIRST 125 FEET SOUTH OF THE OCHOCHO HIGHWAY AND A 40 FEET RIGHT OF WAY SOUTH OF
THAT.

THE NEXT SITE FOR REVIEW IS THE PARCEL OF LAND ALONG OCHOCHO CREEK AT THE E/2 H/4 OF SECTION 4. THIS
PROPERTY WAS ACQUIRED UNDER A NUMBER OF DEEDS WHICH HAVE VARIOUS POINTS OF BEGINNING TWO TO SEVERAL. EXTENSIVE CORRESPONDENCE
SECTION 4. THE FIRST LINE OF REVIEW IS THE LINE NORTH OF OCHOCHO CREEK AND BOUNDED BY SEVERAL PARCELS CREATED OUT OF THAT
LAND BEHIND FROM SARA BROWN (STEWART) AND HERMANO TO F.A. HENRY AND WIFE IN DEED BOOK 51 AT PAGE 243 RECORDED MAY 21,
1910. THIS PARCEL WAS INTERFERED TO AUSTIN SOUTH RIGHT OF WAY LINE OF THE OCHOCHO HIGHWAY AS COMPLETED TO THE STATE OF
OREGON IN DEED BOOK 40 AT PAGE 24 RECORDED OCTOBER 24, 1913. SARA BROWN (STEWART) WAS CONVEYED TO THE SUELE PROPERTY AT
DEED BOOK 40 AT PAGE 24 RECORDED OCTOBER 24, 1913. THE LINES THROUGH NUMEROUS DEEDS OVER A SPAN OF YEARS. AT
PROBABILITY IN DEED BOOK 41 AT PAGE 340 (HENRY) WAS THE LINE TO THE POINT OF BEGINNING FROM THE NORTHWEST CORNER OF
SECTION 4. THIS LINE WAS EXCHANGED WITH DEED AS BALLY FEET SOUTH OF SARA BROWN CORNER FROM THE LINE BY CALCULATION FROM
THE OCHOCHO HIGHWAY DEED BOOK 49 AT PAGE 80 WHICH ADDED A TRIANGULAR PARCEL AT THE NORTHWEST CORNER FROM
POINT OF BEGINNING OF THE OCHOCHO HIGHWAY SOUTH RIGHT OF WAY LINE BUT THAT CALL WAS LATER ON THE
ORIGINAL DEED. AFTER REVIEWING THE AREA DEEDS IT IS CLEAR THAT THE HIGH PROPERTY WAS TO BE THE WEST LINE OF THE E/2
H/4 AND THE OCHOCHO HIGHWAY WITH THE NORTH-SOUTH LINES PARALLEL WITH SARA BROWN CORNER AND THE EAST-WEST LINES
PARALLEL WITH THE OCHOCHO HIGHWAY SOUTH LINE. I PROCEEDED TO LOCATE THE VARIOUS DEEDS OUT FROM THE LINE BY CALCULATION FROM
THE LINE OF THE PROPERTY ACQUIRED UNDER BOOK 45 AT PAGE 243. THE REASON FOR THE CLOSING LINE ON THE DEED WAS 45-DECEMBER
AND SHOULD HAVE BEEN CLOSE TO THE MEASURED PER THE SURVEY OF THE DISTANCES FOR THE EAST AND WEST LINES OF THE PARCEL.
THE NEXT SURVEYED PARCEL WAS THAT CONVEYED TO OCHOCHO LUMBER COMPANY FROM TERRY CLOSE THOMAS AND HERMANO IN DEED BOOK
01 AT PAGE 150 RECORDED SEPTEMBER 12, 1936. THIS PARCEL WAS ORIGINALLY CREATED BY DEED FROM SARA STEWART TO FLORENCE Q
FOX IN DEED BOOK 53 AT PAGE 322 RECORDED OCTOBER 13, 1942. THIS PARCEL WAS DECEDED OUT FROM SARA STEWART
OCCURRED FROM THE NORTH 1/4 CORNER MEASUREMENT OF FROM THE HIGH SECTION CORNER AS PER THE HIGH PROPERTY AND ITS SUCCESSION
PARCELS. SINCE THE DESCRIPTIONS COME FROM TWO POINTS AND WERE NOT SURVEYED A POSSIBLE MATCH PROBLEM CAN EXIST AND IN
THIS CASE AN OVERLAP OCCURS. IF YOU EXAMINE THE DEEDS ALONG OCHOCHO HIGHWAY EAST OF WILLOWDALE ROAD AS EXAMINED BY MY
SURVEY OF TOWNSHIP 15 AND 16-14 CORNER AS C.S. 1777 ON JULY 12, 1978. THESE PARCELS CAN BE ADDED UP TO TOTAL 26,535
IN EASTING DIRECTION THE HIGH SECTION CORNER AND 1/4 CORNER BY SUMMATION. SINCE THE HIGH SECTION SURVEY OF C.S. 40
INDICATED A REDUCED DISTANCE OF 26,019 FEET BETWEEN THESE CORNERS WITH A TOTAL OF 13,005 FEET VALUABLE IN THE W1/2 H/4 WE CAN
CAN EXERCISE AN OVERLAP OF 16,005 FEET LINES EQUALS 13,005 FEET OR 1/2 FEET SINCE THE MODERN SURVEY INDICATE
THIS TOTAL DISTANCE BETWEEN THE H/4 AND H/4 CORNERS IS 26,019 FEET WITH 13,005 FEET VALUABLE IN THE W1/2 H/4 WE CAN
EXPECT AN OVERLAP OF 13,014 FEET BEING 13,005 FEET LESS 13,005 FEET (20 FEET). BECAUSE WEST AND EAST
LINES OF THE E/2 H/4 ARE NOT PARALLEL, SOME SMALL VARIATION CAN BE EXPECTED. THE REASON FOR THIS 20 FEET OVERLAP IS
PROBABLY DUE TO THE INSTANT USE OF THE FENCE ALONG THE EAST LINE OF THE E/2 H/4 AS BEING ON LINE AND
STEWART/CHANNES MEASURING FROM SAME FOR PROPERTY LOCATION. AS NOTED IN C.S. 1777 THE FENCE IS ABOUT 20 FEET EAST OF THE
LINE LINE SO THE PROPERTIES WERE LOST OUT OF THEIR TRUE LOCATION BY THAT AMOUNT. THIS MADE IT APPEAR THAT MORE LINES
WERE AVAILABLE FOR DISPOSAL AND CREATED THE OVERLAP. WHEN STEWART CALLED TO FOR THE TWO PARCELS AND A 25 FEET GAP
BETWEEN THEM. STEWART LATER CHANGED WILLOWDALE ROAD TO CROOK COUNTY IN DEED BOOK 50 AT PAGE 116 RECORDED WHICH
CREATED A 20 FOOT RIGHT OF WAY FOR THE FIRST 125 FEET SOUTH OF THE OCHOCHO HIGHWAY AND A 40 FEET RIGHT OF WAY SOUTH OF
THAT.

THE 332 FEET SOUTH OF THE OCHOCHO HIGHWAY IS THE INTERIOR NORTH LINE OF STEWART TO FOX. HENRYMAN DID TO OCHOCHO HIGHWAY
CONVEYED PLUS 40 PLUS 352 EQUALS 1207 FEET PER DEED. WHEN HENRYMAN DECEDED TO OCHOCHO LUMBER IN DEED BOOK 53 AT PAGE 120 THE
SUELE THE NORTH LINE TO 1213.75 FEET SOUTH VERSUS DEED 1207 FEET SOUTH TO POINT OF BEGINNING (0.3 FEET LONGER)
SOUTH END OF THE PARCEL TO 249.3 FEET VERSUS 250 FEET DEED (0.7 FEET SHORTER). THE APPARENT ERROR WAS TO
EXTRAPOLATE A SUPPOSED OVERLAP WITH THE PROPERTY LINE HENRYMAN CREATED OUT OF THE HIGH PROPERTY. SINCE I BELIEVE THE HIGH
PROPERTY WAS TO BE SURVEYED ADJACENT TO THE CROOK HIGHWAY AND THAT A GAP OF 0.7 BETWEEN THE HIGH PARCEL AND THE HIGHWAY
DOES NOT EXIST I FEEL THE DEED PREPARED CORRECTED THE MISSING DISTANCE. THE NORTHING OF THE 1207 FEET POINT OF BEGINNING WAS
CORRECT AND THAT DEED SHOULD HAVE BEEN LOST ALONG. BY CHANGING THE DEED OVERLAP IT APPEARS AN 0.7 FEET GAP WAS CREATED
ALONG THE NORTH SIDE OF DEED BOOK 53 AT PAGE 120 AND THAT IS THE WAY IT WAS SURVEYED. THE TOTAL NORTHING DISTANCE OF 1207
PLUS 250 EQUALS 1457 FEET SOUTH (BOOK 53 PAGE 25) MATCHES 1213.75 PLUS 249.3 EQUALS 1463 FEET SOUTH (BOOK 53 PAGE
120) MATCHES POINT OF BEGINNING 1463 FEET SOUTH (BOOK 54 PAGE 61) THE ADJOINING DEED OF 5000/1463 FEET SOUTH LINE
962.7 FEET SHOULD HAVE BEEN 955 FEET (905 + 50) PLUS 610 EQUALS 1465 FEET (BOOK 51 PAGE 549) BECAUSE SARA STEWART
RECONSTRUCTED CREATED THE 25 FEET GAP BETWEEN THE PARCELS BUT ONLY DECEDED 20 FEET TO THE COUNTY (DECEDED TO HOLD THE
RECORDS BUT NOT TO THE EAST LINE OF THE E/2 H/4 AND LET THE OVERLAP ONTO BOOK 55 PAGE 240 OCCUR AS CREATED BY DEED
PAGE 40 NO CALLS TO LOCATE ON THE CONVEYANCE AND THE SITUATION OF THE OTHER SARA STEWART DEEDS OUT TO THE EAST
AND UP TO THE PROBLEM IS A SURVEY OF LAND TO ACCOMMODATE THE DEEDS AND FOX IS ADJACENT TO THE LINE. RECORDING
THE FOX DEED ALONG IN CONNECTION WITH THE DEED TO OCHOCHO LUMBER COMPANY FROM SARA STEWART IN DEED BOOK 54 AT PAGE 83
RECORDED OCTOBER 31, 1943 CREATES NO GAPS OR OVERLAPS. THAT PROPERTY IS DECEDED FROM THE NORTH 1/4 CORNER AS WELL
AND MATCHES THE DEED STEWART TO FOX. THE OVERLAP WOULD EXIST ONTO THE OCHOCHO LUMBER COMPANY PROPERTY IN THE
W1/2 H/4 BUT THAT OVERLAP WOULD YIELD TO THE EAST LINE W1/2 H/4 SPACE STEWART DID NOT OWN ANY PROPERTY IN THE
W1/2 H/4 TO DEED AREA. LOCATION OF THE PROPERTY AS DESCRIBED IN FOX CREATES THE SAME GAP BETWEEN THE SUBJECT PROPERTY
AND THE WILLOWDALE ROAD RIGHT OF WAY 45-DEED. THIS SURVEY LINE WAS EXTENDED DOWN TO THE SOUTH LINE OF THAT PARCEL
CONVEYED FROM OCHOCHO LUMBER COMPANY TO CHARLES O. STEPHENS, ET AL. IN CONNECTION DEED RECORDED IN DEEDS OF 107200 ON
JANUARY 7, 1993. WHICH DEED CORRECTED DEEDS OF 83945. THE SURVEY FOLLOWED THAT LINE UNCHANGED IN PARALLEL PLAT NO
1893-10 RECORDED AS C.S. 1239 ON JANUARY 13, 1993 ALONG TO THE SOUTHWEST CORNER OF THAT PARCEL CONVEYED TO OCHOCHO
LUMBER COMPANY BY DEED NO 82341, SARA POINT BEING ON THE EAST LINE OF THE W1/2 H/4 AND COMPLETES THIS PORTION OF THE
PROJECT. THESE LINES WERE CREATED BY DEEDS EXCHANGED BETWEEN STEPHENS AND OCHOCHO LUMBER COMPANY SO NO GAPS OR
OVERLAPS EXIST.

THE EAST LINE FROM THE POINT ON THE EAST LINE W1/2 H/4 SOUTHERLY TO WILLOWDALE AGENTS WAS SURVEYED AS FOLLOWS. THE
PARCELS ALONG THIS LINE WERE DETERMINED BY TIES FROM THE WEST 1/4 CORNER. THE PATTERN OF DESCRIBING THE PARCELS ALONG
WILLOWDALE ON THE WEST SIDE WAS REVERSED IN THE NARRATIVE FOR C.S. 1239 AND HERMANO HERE. THE PARCELS SOUTH OF THE SARA
BROWN STEWART RESIDENCE AS SOLD IN DEED BOOK 50 AT PAGE 203 WAS BY THE DISTANCES EAST AND NORTH ON SOUTH FROM THE WEST
1/4 CORNER OF SECTION 4. THIS 1/4 CORNER POSITION IS PRESUMED TO BE THE POSITION NOTED BY SECTION IN C.S. 40 AND
FURNISHED THEREAFTER. EXAMINATION OF THE DEED DESCRIPTIONS AND RECONSTRUCTING LINES SHOWS THAT THE PARCELS WERE WITHDRAWN TO
TOGETHER BETWEEN THE EAST LINE OF THE OCHOCHO LUMBER COMPANY PROPERTY IN THE E/2 H/4 H/4 AND W1/2 H/4 W1/4 AND
WILLOWDALE ROAD TO BE LOCATED WITH THE WEST RIGHT OF WAY LINE OF WILLOWDALE ABOUT 158 FEET EAST THEREOF. THE DEEDS DO
NOT HAVE SARA STEWART CALLS BUT CONTAINED ONLY BEARING AND DISTANCE CALLS. THE AREA DESCRIBED IN DEED BOOK 51 AT PAGE
444 AND DEED BOOK 53 AT PAGE 83 WAS SURVEYED AND PLATTED BY ARTHUR H. WATSON IN 1898-1901 C.S. 1928 RECORDED
AUGUST 26, 1901. IT WAS NOTED AT THIS TIME THAT OCCUPANCY AND DEED EVIDENCES WERE CONSISTENT ALONG WILLOWDALE. THE DEEDS
SOUTHERLY THEREOF, INCLUDING DEED BOOK 54 AT PAGE 215, DEED BOOK 53 AT PAGE 234, DEED BOOK 53 AT PAGE 213, WERE RECORDED
WITH POINT OF BEGINNING ALONG WILLOWDALE ROAD AT 1899.7 FEET EAST OF THE W1/4 CORNER. WHEN THE WEST PARCEL SOUTHERLY WAS
DESCRIBED, RECORDED IN DEED BOOK 53 AT PAGE 219, THE POINT OF BEGINNING WAS CHANGED TO 1311.7 FEET EAST ALONG THE EAST
LINE OF OCHOCHO LUMBER COMPANY. APPARENTLY THE DEED PREPARED DID NOT RECONSTRUCT THE EAST-WEST LINES WERE HIGH-CORNER
AND CREATED A GUST OF 21 FEET IN MEASUREMENTS WHEN THE EASTING CHANGE WAS MADE. THE POINT OF BEGINNING OF THE PARCEL BOOK 53
AT PAGE 219 VARIATES 223 FEET NORTH AND IT SHOULD HAVE BEEN 244 FEET NORTH TO BE CONSISTENT WITH THE PARCEL BOOK 53
THIS SAME BUT WAS CONTAINED IN THE 215 DOWN TO AND INCLUDING THE OCHOCHO LUMBER COMPANY PARCEL DESCRIBED IN DEED BOOK
53 AT PAGE 237. THESE PARCELS WERE DEED BOOK 53 AT PAGE 214, DEED BOOK 53 AT PAGE 34, DEED BOOK 53 AT PAGE 101 AND DEED
BOOK 53 AT PAGE 27. THE OCHOCHO LUMBER COMPANY PARCEL IS SOUTHER TO THESE PARCELS BUT I THINK IT IS NECESSARY TO EVALUATE
THE DEEDS TOGETHER TO SEE HOW THEY SHOULD BE SURVEYED. IF THE DEEDS ARE PROBABLY ASSIGNED WHILE MADE, THE PROPERTIES
FIT TOGETHER WITH THEIR ADJOINERS EVEN THOUGH THE APPROXIMATE FEET ARE NOT EXACT. MY FEET INDICATE ABOUT A FEET IN
MISPLACEMENT WHICH IS IN THE PROBABILITY OF ERROR WHEN THE APPROXIMATE FEET ARE NOT EXACT. MY FEET INDICATE ABOUT A FEET IN
THE PROPERTY BY ASSIGNING THE FRONTAGE OF THE DEEDS SOUTHERLY FROM THE NORTH LINE OF DEED BOOK 54 AT PAGE 215 AS
SURVEYED IN C.S. 1992 BY MYSELF DOWN TO AND INCLUDING DEED BOOK 53 AT PAGE 237. IT WAS ALSO NOTED IN THE PARCELS WHICH
SOUTHERLY OF THE OCHOCHO LUMBER COMPANY PARCEL THAT A 25 FEET OVERLAP WAS CREATED BETWEEN DEED BOOK 53 AT PAGE 438,
CORRECTED DEED BOOK 53 AT PAGE 342, AND THE ADJOINING DEED BOOK 54 AT PAGE 163. THIS PROBLEM AGAIN APPEARS TO STEW FROM
CHANGING THE POINT OF BEGINNING BACK TO WILLOWDALE ROAD IN DEED BOOK 54 AT PAGE 343 AND TAKING TO ACCOUNT FOR THE 35
FEET NORTHING CHANGE CAUSED BY THE EAST-WEST PARCEL LINES NOT BEING CORNER. THE DEED MAP APPEARS TO PRODUCE THE OVERLAP
IS BETWEEN DEED BOOK 54 AT PAGE 437 AND DEED BOOK 54 AT PAGE 343 BUT I BELIEVE THAT IS INCORRECT. THE OVERLAP IN THE FIELD
DOES APPEAR TO BE PLACED BETWEEN THESE PARCELS HOWEVER RESOLUTION OF THAT SITUATION IS NOT NECESSARY FOR THIS SURVEY. THE
EAST LINE OF THE OCHOCHO LUMBER COMPANY, THIS LINE ALONG THE EAST LINE OF THE W1/2 H/4 H/4 AND W1/2 H/4 W1/4 AS
PER THE SECTION ENDORSEMENT SARA STEWART. THIS LINE CLOSELY FOLLOWS THE EASTING CHAIN LINE FORCE ALONG THIS LINE AND IS
APPARENTLY CONSISTENT WITH THE EARLIEST SURVEYS OF HIGHWAY. THE VOLUMENTS SET BY WATSON A. HENRYMAN, 13 2207, IN C.S. 1093
WERE FOUND OUT LINE AND WERE NOT HELD FOR USE TO DEFINE THE OCHOCHO LUMBER COMPANY BOUNDARY.

W.O. 04-2959
SHEET 4 OF 5
DEED BOOK 53
FIELD BOOK 231

BOUNDARY SURVEY OF OCHOCHO LUMBER
COMPANY PROPERTY IN THE W1/2 OF SECTION
4, TOWNSHIP 15 SOUTH, RANGE 16 EAST, W.M.,
CROOK COUNTY, OREGON
W.O. 04-2959

SURVEY NARRATIVE (CONT.)

THE NEXT SITE FOR REVIEW IS THE PORTION OF THE PROPERTY LINE ADJACENT TO THE PLAT OF WELLSIDE ACRES LOCATED IN FULLY
IN THE 51/2 NW1/4 OF SECTION 4, THE NW1/4 SW1/4 WAS OWNED BY ITS ENTIRETY BY JOHN Q. POWELL IN DEED BOOK 15
AT PAGE 107 RECORDED JANUARY 4, 1900. JOHN Q. POWELL THEN SOLD THE 51/2 NW1/4 SW1/4 TO ROY POWELL IN DEED BOOK 25 AT
PAGE 244 RECORDED JULY 17, 1911. ROY POWELL THEN SOLD THE 51/2 NW1/4 SW1/4 TO S.V. WILSON IN DEED BOOK 31 AT PAGE 282
RECORDED APRIL 29, 1914. IN 1921, WIDE HASTON, CROOK COUNTY SURVEYOR, SUBDIVIDES SECTION 4 AND MAKES THE
NORTH LINE OF THE 51/2 NW1/4 SW1/4 RECORDED AS C.S. 40 ON DECEMBER 7, 1921. THIS MAP INDICATES THAT CORNERS WERE
ESTABLISHED AT THE CORNERS OF THE 51/2 NW1/4 SW1/4 AND THE 1/2 NW1/4 SW1/4. NO DESCRIPTION OF THE CORNER INTERVAL WAS
GIVEN. IN 1923 ROY POWELL REACQUIRES THE 51/2 NW1/4 SW1/4 FROM THE COUNTY SHERIFF IN DEED BOOK 43 AT PAGE 417 RECORDED
MAY 28, 1923. POWELL THEN SELL THE 51/2 NW1/4 SW1/4 TO WILSON IN DEED BOOK 48 AT PAGE 410 RECORDED JUNE 8, 1924.
IN 1925, WIDE HASTON, CROOK COUNTY SURVEYOR, SUBDIVIDES AND PARTITIONS THE ESTATE OF J.Q. POWELL AND CONTINUED TO OWN THE
1/2 NW1/4 SW1/4 INTO THREE PARCELS FOR THE POWELL HEIRS UTA CALABASH, ESTELA CROSBY AND ROY POWELL. THIS SURVEY
WAS RECORDED AS C.S. 64 RECORDED DECEMBER 30, 1925. THE POWELL HEIRS THEN CROSSED DEED RECORDING PARCELS TO EACH
OTHER IN DEED BOOK 49 AT PAGE 158 RECORDED FEBRUARY 3, 1926. DEED BOOK 49 AT PAGE 158 RECORDED FEBRUARY 3, 1926 AND
DEED BOOK 48 AT PAGE 200 RECORDED MARCH 9, 1926. THESE DEEDS WERE BASED ON THE HASTON C.S. 64 AS THEY CARRY THE SAME
DISTANCE CALLS AS SHOWN ON THE HASTON MAP OF 1924. THE HASTON MAP OF C.S. 64 SHOWS THE SOUTH CORNERS ESTABLISHED
CORRESPONDING TO THE SAME CORNERS OF C.S. 40 AS PERFORMED IN 1921 AND NOTED HEREON AS "ESTABLISHED". IT IS UNCLAR
WHEN THE RECORDED THE CORNER CORNERS FROM HIS PREVIOUS SURVEY OR ESTABLISHED NEW ONES. NO NEW SUBDIVISION OF SECTION
4 IS SHOWN SO HASTON MUST HAVE BEEN ATTEMPTING TO MARK THE SAME CORNERS. HASTON DID NOT NOTE THESE CORNERS ALONG THE
SOUTH LINE OF THE J.Q. POWELL OWNERSHIP AS "THAT OR THERE" AS HE DID AT OTHER CORNERS OF C.S. 40 SO I PRESUME THEY WERE
TWO STAKES. IN 1928 THE POWELL HEIRS CONVEYED THEIR PROPERTY, IN FULLY THE 1/2 NW1/4 SW1/4 TO OCHOCHO LUMBER COMPANY
IN DEED BOOK 50 AT PAGE 242 RECORDED APRIL 18, 1928. OCHOCHO LUMBER COMPANY HAS CONTINUED OWNERSHIP OF THIS PARCEL
SINCE. THE 51/2 NW1/4 SW1/4 WAS CONVEYED TO J.Q. POWELL IN DEED BOOK 50 AT PAGE 242 RECORDED APRIL 18, 1928. TEL. JORDAN
THEN OWNED THE 51/2 NW1/4 SW1/4 AND ADDITIONAL LOTS ADJACENT THEREOF SURVEYED AND PLATTED BY HASTON IN 1921 AND THE
WELLSIDE ACRES PLAT. HASTON SPECIFIED ON THE PART THAT THESE WERE FROM THE 51/2 NW1/4 SW1/4 BY J.Q. POWELL INTO THE 1/2
RECORDED PWS AT THE SW AND SE CORNERS OF 500 51/2 NW1/4 SW1/4. CONSISTENT WITH THE LOCATION INDICATED BY HASTON IN C.S.
40 AND C.S. 64 ALTHOUGH HIS PLAT DOES NOT SPECIFICALLY CALL THEM OUT. THE OLD SURVEY PLAYS GAVE THE LOCATION THAT THE
NORTH-SOUTH EQUIDISTANCE WERE 1320 FEET. WHEN HASTON'S WAS THEIR GENERAL LAND OFFICE RECORD LENGTH AND APPARENTLY THE
LENGTH ACCORDING TO THEIR SURVEY. WHEN THE INITIAL ALLOTMENT PART DIVISION OF THE NW1/4 SW1/4 BY J.Q. POWELL INTO THE 1/2
AND 51/2 I DETERMINE THE ALLOTMENT PART LINE DETERMINING THE 1/2 AND 51/2 THEREOF IS THE LINE OF THE OCHOCHO LUMBER COMPANY
OWNERSHIP AS THEY ARE NOW UNDER IN RIGHT ALONG THIS LINE. THE LATEST CALL BY THE J.Q. POWELL SURVEY BY HASTON IN 1925
CANNOT EXISTO THE OCHOCHO LUMBER COMPANY OWNERSHIP PART THIS LINE AND I WOULD READ INTO THAT DEED THE POWELL HEIRS NEPC
CONVEYING TO THAT LINE. WE HAD THE ALLOTMENT PART LINE DETERMINED BY THE SECTION BOUNDARY PERFORMED BY MYSELF IN C.S. 1235 TO
BE EXACT. WE FIRST SEARCHED FOR ALL THE MONUMENTS CALLED OUT AS IRON PINS OR PINS IN C.S. 40 AND C.S. 64 BY HASTON
AND IN THE WELLSIDE ACRES PLAT BY HASTON FRANKING HASTON. THE MONUMENTS SHOWN AS BEING IN PAULINA HIGHWAY WERE PREVIOUSLY
DESTROYED DURING CONSTRUCTION OF THE OCHOCHO IRRIGATION DISTRICT PARALLEL IN THAT ROADWAY ABOUT 1920-25. THE OTHER CORNER
POSITIONS FELL AT AREAS OF OTHER DISTURBANCE INCLUDING FENCE CONSTRUCTION AND LAND GRADING AND WERE LOST. WE THEN
TEARPOLED THE OTHER CORNERS OF THE WELLSIDE ACRES PLAT AND FOUND NO IRON MONUMENTS BUT DID SURVEY THE LINE FROM FENCE
CORNER TO CORNER. THESE FENCE CORNERS WERE FOUND TO BE CONSISTENT WITH EACH OTHER AND PROVIDED A PATTERN
CONSISTENT WITH THE HASTON SURVEY ALONG THE NORTH AND SOUTH PLAT LINES AND ALONG WELLSIDE ONE. OLD ROUTED WOOD FENCE
PORTS WERE FOUND BELOW GRADE REGARDING EARLIER FENCES SUBSTITUTED THESE SURVEY POSITIONS. USING A DIST. OF THESE FES I
ARRIVED AT A LOCATION FOR THE NORTH LINE OF WELLSIDE ACRES PLAT AS SHOWN BEFORE. THAT LOCATION WAS AN OUTCROP WITH THE
ALLOTMENT PART LINE ALONG THE WEST PART OF THE LINE FOR ABOUT 261.31 FEET WITH A MONUMENT OF 40 FEET AT THE CORNER OF
THE PLAT. WITH THE LINES OF THE HASTON AND HASTON CORNERS AS SHOWN WELLSIDE CORNER IS CROOKED CONCERNING THE
PLAT LOCATION OF THE CORNERS AND LINES BUT IT APPEARS THE WELLSIDE PLAT LINE WAS LOST AND NOT AT RIGHT ANGLE AND EXTENDING TO
PAULINA HIGHWAY AND NOT ACCORDING TO PROPER PROCEDURE ALONG THE ALLOTMENT PART LINE. I CORRELATED WITH THE NORTH LINE OF
THE WELLSIDE ACRES PLAT AND THE NORTH LINE OF THE 51/2 NW1/4 SW1/4 DURING THIS SURVEY. AT CORNER FOR LOCATION OF THE
LINE WOULD BE TO HOLD THE PLAT LINE IN THE OUTCROP SECTION AND HOLD THE ALLOTMENT PART LINE IN THE GAP SECTION. THE OVERLAP
SECTION IS WITHIN THE APPARENT ERROR RANGE OF THE THORNDON SURVEY AND I BELIEVE WAS MARKED BY THE SURVEY AND HELD AS THE
LINE. THE WEST PART OF THE LINE WAS MARKED AS WELL, BUT WAS OBTAINED BY THE CONSTRUCTION AND USAGE OF A ROADWAY SHOWN
ON THE MAP AS WILSON LINE. THE ESTABLISHMENT OF THIS ROAD IS UNKNOWN BUT IT IS EVIDENTLY CONSTRUCTED ON OCHOCHO LUMBER
COMPANY LAND EXCEPT FOR THE GAP PORTION.

RECORDATION - CLERK	
STATE OF OREGON COUNTY OF CROOK I, CLERK OF CROOK COUNTY, OREGON, DO HEREBY CERTIFY THAT THE RECORDS OF SAID COUNTY BY THE OF CROOK COUNTY, OREGON, DEPUTY	
RECORDATION - SURVEYOR	
STATE OF OREGON COUNTY OF CROOK I, CLERK OF CROOK COUNTY, OREGON, DO HEREBY CERTIFY THAT THE RECORDS OF SAID COUNTY BY THE OF CROOK COUNTY, OREGON, DEPUTY	

THE TITLE REPORT DOES NOT INDICATE THAT OCHOCHO LUMBER COMPANY CREATED THE ROADWAY AND I SUSPECT IT IS AN
ENCROACHMENT CREATED BY LACK OF KNOWLEDGE BETWEEN THE OWNERS AS TO THE CORNER LOCATION OF THE TITLE LINES. WILSON LINE
DOES SEEM AS ACCESS FOR THE OWNERS OF PROPERTIES IN WELLSIDE ACRES AND APPARENTLY SELE ACCESS FOR TWO OF THOSE IN THE
ORIGINAL LOT 4 OF WELLSIDE ACRES. BECAUSE OF THE APPARENT LONG USAGE OF THIS STRIP, UNWRITTEN RIGHTS MAY HAVE BEEN
ACQUIRED AND BY CLIENT IS ADVISED TO SEEK LEGAL COUNSEL OPINION CONCERNING LOCATION OF THIS LINE. THE LOCATION OF FENCES
AND OTHER OCCUPATION ALONG THIS LINE IS SHOWN FOR EVALUATION OF THE ENCROACHMENT BY OTHERS.

A DISCUSSION OF THE WEST 1/4 CORNER LOCATION IS REQUIRED TO HELP CLARIFY THE LOCATION OF THE WEST LINE OF THE OCHOCHO
LUMBER COMPANY PROPERTY AND PAULINA HIGHWAY. THE PAULINA HIGHWAY RIGHT OF WAY IN SUBJECT PROPERTY AREA SITS FROM THE
COUNTY ROAD CREATED BY EARLY PETITION ALONG THE SECTION LINE. THAT ROAD BEING CONVEYED CALLED "CROSS FENCE ROAD". RESEARCH
OF THE RECORDS INDICATES THE ORIGINAL C.L.O. CORNER MONUMENT WAS A WOOD POST WHICH WOULD NOT BE A DURABLE MONUMENT. THE
NEXT RECORD REFERENCE TO THE CORNER IS THE 1914 OCHOCHO IRRIGATION DISTRICT SURVEY BY E.W. REA ENGINEER. THIS CORNER WAS
NOTED AS MARKED BY A (WOOD) LIME. RECONSTRUCTIONS INDICATE IT WAS PROBABLY SET AND IN THE CENTER OF THE ROAD RUNNING
NORTH-SOUTH. THE NEXT SURVEY WAS C.S. 40 BY WIDE HASTON IN 1921 AND THIS CORNER WAS NOTED AS "ESTABLISHED", NO
DESCRIPTION OF MONUMENT OR PROCEDURE USED. THE NEXT SURVEY IN 1921, WAS C.S. 64 BY HASTON. RECORD INDICATES 1/4 FROM
PHI FOUND. APPARENTLY ONE PREVIOUSLY SET TO MARK THE CORNER OF HASTON'S OFFICERS. THE NEXT SURVEY WAS C.S. 63 IN 1925 BY
HASTON RECORD INDICATES 1/4 FROM PHI FOUND; NO DOUBT THE MONUMENT REFERRED TO BY C.S. 64. THE NEXT SURVEY WOULD BE
THE PLAT OF WELLSIDE ACRES IN 1928 BY HASTON. MAP INDICATES "IRON PIN" AND I PRESUME THE SAME MONUMENT NOTED BY HASTON
THE NEXT SURVEY WOULD BE THE PLAT OF DALLY'S SUBDIVISION IN 1931 BY HASTON. THE PLAT DOES NOT DESCRIBE A CORNER
MONUMENT FOUND BUT THE 1/4 CORNER IS THE ALLOTMENT PART LINE. THE MONUMENTS OF THIS PLAT'S PART BY
HASTON WHICH WERE RECOVERED BY MYSELF WERE USED TO RECONSTRUCT THE SAME CORNER POSITION AS HASTON INDICATED IN HIS
SURVEY PLAT. I FOUND NO BETTER EVIDENCE AND, AS NOTED BEFORE IN THE WELLSIDE ACRES PLAT SEARCH, THE IRON PIN WAS NO DOUBT
DESIGNED DURING OLD. PREVIOUS CONSTRUCTION ABOUT 1920. I RESET THE CORNER AT THE NORTH LINE OF THE HASTON AND ON
LINE BETWEEN THE SECTION CORNERS WHICH WAS CORRELATED WITH THE HASTON CONSTRUCTED CORNER AT THE TIME. THE DISTANCES
TO THE SECTION CORNERS WERE BETWEEN THE VARIOUS OLDER RECORDS SO COMPARISON IS INCONCLUSIVE BECAUSE OF THE LACK OF FENCE
REFERENCES FOR ANY OF THE CORNERS. THE LINE SOUTH OF THE 1/4 CORNER RUNS UP THE STEEP SLOPE OF THE 161 TO THE SW
SECTION CORNER SO ALTHOUGH SURVEY OWNED DISTANCES MAY BE LESS ACCURATE AND THE ANGLE SECTION CORNER WAS ALSO REPLACED AFTER
DESTRUCTION DURING THE PRESENT CONSTRUCTION. WHEN THESE CONDITIONS I DETERMINE THE CORNER AS SO PLACED REPRESENTS THE
BEST POSITION OF THE CORNER AS SO USED FROM ABOUT 1910-1921 TO DATE. OTHER SURVEYS SINCE THE RE-ESTABLISHMENT IN 1923
HAVE ACCEPTED THE CORNER AND I FEEL IT IS A CORNER OF COMMON REPORT SINCE THE 1910-1921 ERA. THE HIGHWAY IS ACCEPTED AS
BEING CONSTRUCTED ON THE SECTION LINE AND IT IS CONSISTENT WITH THE OCHOCHO PAULINA HIGHWAY SURVEY OF 1949 AS WELL AS C.S. 1090
AND C.S. 2313.

REGISTERED
PROFESSIONAL
LAND SURVEYOR
David B. Davidson
DAVID B. DAVIDSON
JAN 10 1925

SHEET 5 OF 2
DATE: NO. 04-2959
FIELD BOOK 221

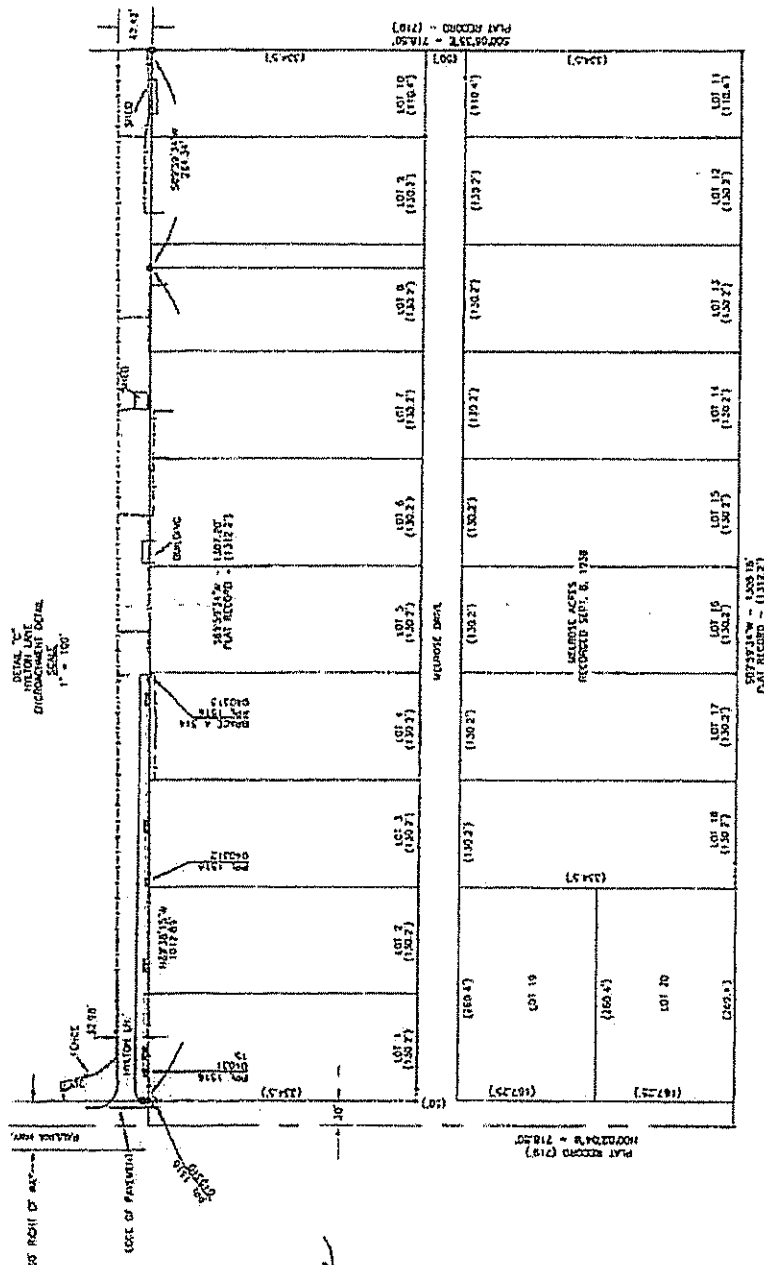
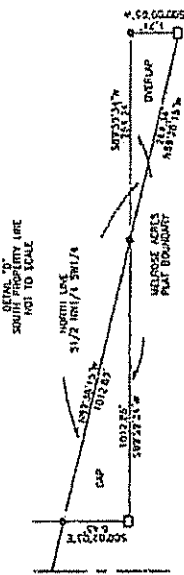
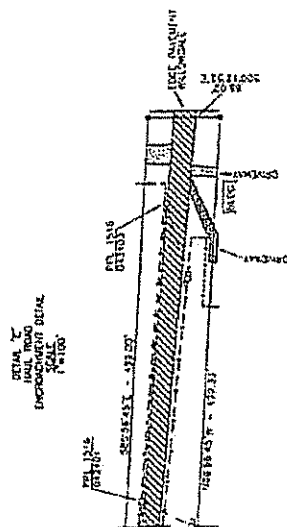
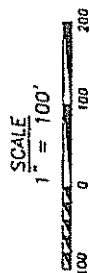
W.O. 04-2959

FIELD BOOK 271
W.O. 04-2959

BOUNDARY SURVEY OF OCHOCO LUMBER
COMPANY PROPERTY IN THE W1/2 OF
SECTION 4, TOWNSHIP 15 SOUTH, RANGE 16
EAST, W.M., CROOK COUNTY, OREGON
W.O. 04-2959

LEGEND

- [illegible]



REGISTERED
PROFESSIONAL
LAND SURVEYOR

David A. Carter

STATE OF OHIO
DAVID A. CARTER
1914

1914-1915

The premises are in Crook County, and are described as follows:

TRACT I

A parcel of land located in the Northwest one-quarter Northeast one-quarter (NW1/4 NE1/4) of Section 29, Township 14 South, Range 16 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:

Beginning at the North one-quarter corner of said Section 29, thence South 89°49'05" East along the North line of said Section 29 a distance of 814.50 feet to the True Point of Beginning. Thence South 5°42'23" East a distance of 370.66 feet; thence South 83°34'25" West a distance of 217.99 feet to a point on the East line of a parcel of land deeded to Janet Bartelds by deed recorded MF 42803 on September 23, 1977, Records of Crook County, Oregon; thence South 0°28'34" West along said line a distance of 37.84 feet to the Southeast corner of said parcel; thence North 89°49'05" West along the South line of said parcel a distance of 338.00 feet to a point on the East line of the Westerly 300.00 feet of said Northwest quarter Northeast quarter; thence South 0°28'34" West along said East line a distance of 878.17 feet to the South line of said Northwest quarter Northeast quarter; thence South 89°51'11" East along said South line a distance of 1017.33 feet to the Southeast corner of said Northwest quarter Northeast quarter; thence North 0°31'17" East along said East line a distance of 1309.19 feet to the Northeast corner of said Northwest quarter Northeast quarter; thence North 89°49'05" West along the North line of said Section 29 a distance of 503.86 feet to the True Point of Beginning.

TRACT II

In Township 14 South, Range 16 East of the Willamette Meridian:

Section 29: NE1/4 NE1/4;
N1/2 NW1/4 SE1/4 NE1/4;
E1/2 SE1/4 NE1/4

TRACT III

A parcel of land located in the Northeast quarter of Section 29, Township 14 South, Range 16 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:

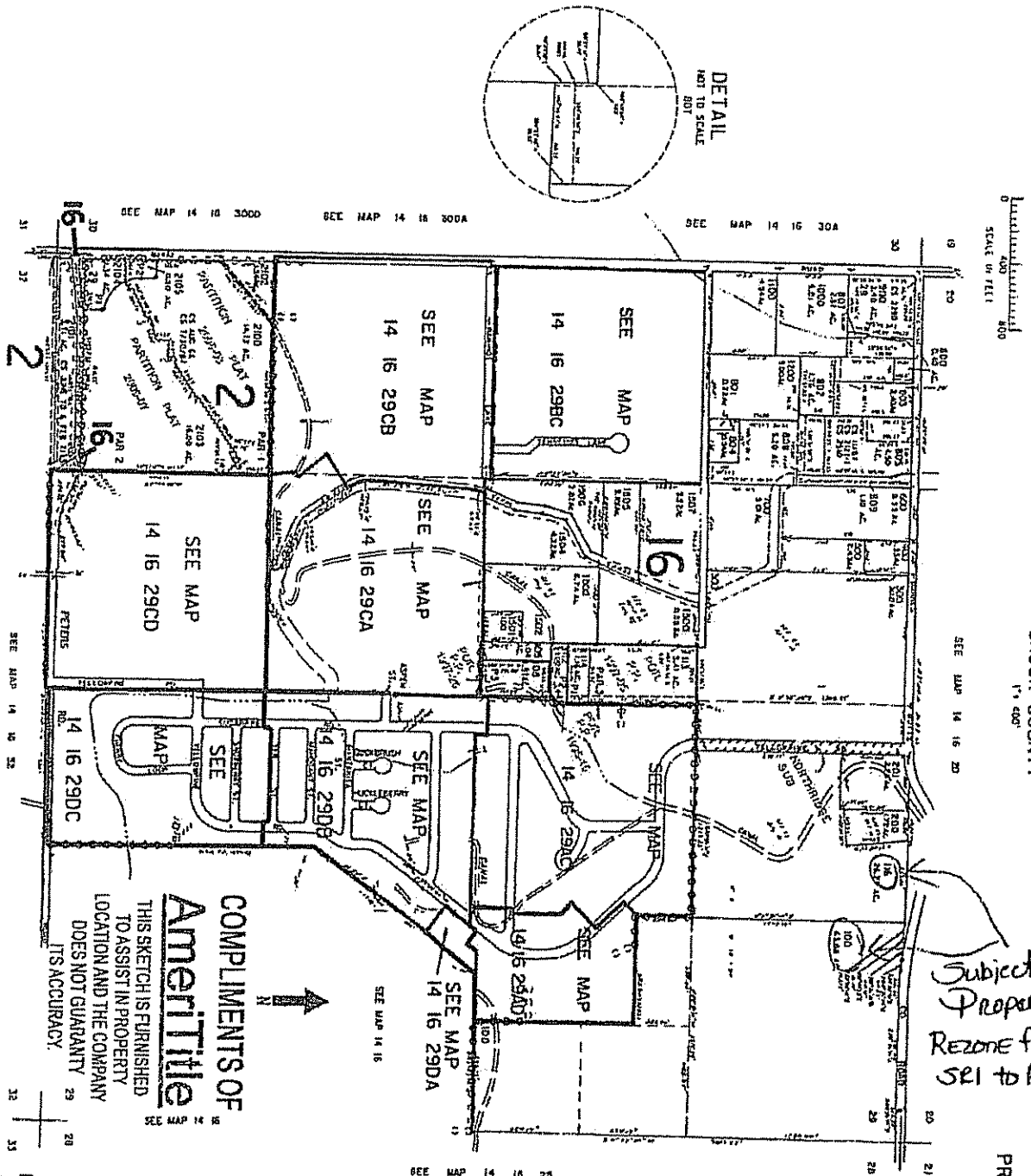
Beginning at the Northwest corner of the South half Northwest quarter Southeast quarter Northeast quarter of said Section 29, marked by a 5/8 inch iron rod, thence South 89°51'13" East along the North line of said South half Northwest quarter Southeast quarter Northeast quarter a distance of 212.80 feet to the TRUE POINT OF BEGINNING.

Thence South 35°24'58" East a distance of 427.26 feet; thence South 5°41'38" East a distance of 239.16 feet to the South line of that parcel of land conveyed to Prineville Real Estate, Inc. by deeds Microfilm No.104431, Records of Crook County, Oregon; thence South 89°53'00" East along said South line a distance of 168.81 feet to the East line of the Southwest quarter Southeast quarter Northeast quarter of said Section 29; thence North 0°32'39" East along the East line of said Southwest quarter Southeast quarter Northeast quarter and the East line of said South half Northwest quarter Southeast quarter Northeast a distance of 585.41 feet to the Northeast corner of said South half Northwest quarter Southeast quarter, Northeast quarter, marked by a 5/8 inch iron rod; thence North 89°51'13" West along the North line of said South half Northwest quarter Southeast quarter Northeast quarter a distance of 445.70 feet to the TRUE POINT OF BEGINNING.

Exhibit "A-6"
Legal Description
14-16-29 100, & 116
14-16-29AD TL 100

14-16-29 100, & 116

14-16-29AD TL 100



14 16 29
& INDEX
PRINEVILLE

COMPLIMENTS OF
AmeriTitle
THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY.

Subject Properties
Rezone from
SR1 to R-2

PRINEVILLE

CANCELLED NO.
101 THRU 104
106
107
109 THRU 111
115
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000
1001
1002
1003
1004
1005
1006
1007
1008
1009
1010
1011
1012
1013
1014
1015
1016
1017
1018
1019
1020
1021
1022
1023
1024
1025
1026
1027
1028
1029
1030
1031
1032
1033
1034
1035
1036
1037
1038
1039
1040
1041
1042
1043
1044
1045
1046
1047
1048
1049
1050
1051
1052
1053
1054
1055
1056
1057
1058
1059
1060
1061
1062
1063
1064
1065
1066
1067
1068
1069
1070
1071
1072
1073
1074
1075
1076
1077
1078
1079
1080
1081
1082
1083
1084
1085
1086
1087
1088
1089
1090
1091
1092
1093
1094
1095
1096
1097
1098
1099
1100
1101
1102
1103
1104
1105
1106
1107
1108
1109
1110
1111
1112
1113
1114
1115
1116
1117
1118
1119
1120
1121
1122
1123
1124
1125
1126
1127
1128
1129
1130
1131
1132
1133
1134
1135
1136
1137
1138
1139
1140
1141
1142
1143
1144
1145
1146
1147
1148
1149
1150
1151
1152
1153
1154
1155
1156
1157
1158
1159
1160
1161
1162
1163
1164
1165
1166
1167
1168
1169
1170
1171
1172
1173
1174

张元元



Revised
10/11/2006, CS
14 16 29AD
1/4 COR.