

2004-13

EASEMENTS NOT SHOWN

50 foot reciprocal Access/Maintenance Agreement

PARTITION PLAT No. 2004-13
FOR

Gerald & Sandra Kwast
REPLAT OF A PORTION OF PARCELS 1 & 2
PARTITION PLAT 2002-38
IN THE S.W. 1/4 OF SECTION 19
T.11 S., R.5 W., W.M.
BENTON COUNTY, OREGON
FEBRUARY 18, 2004

BOOK 108, PAGE 64 IN FAVOR OF REX & ETHEL CLEMENS FOR PRIVATE LOGGING TRUCK ROAD.
BOOK 169, PAGE 265 IN FAVOR OF CONSUMERS POWER, INC. FOR ELECTRIC TRANSMISSION OR DISTRIBUTION SYSTEM.
BOOK 181, PAGE 538 IN FAVOR OF BENTON LINCOLN ELECTRIC CORP., INC. FOR ELECTRIC TRANSMISSION OR DISTRIBUTION LINE AND APPURTENANCES.
M-48999-83 IN FAVOR OF CONSUMERS POWER, INC. FOR ELECTRIC, TELEPHONE AND RELATED TRANSMISSION AND DISTRIBUTION LINES AND APPURTENANCES.

A 50.00 foot strip of land is reserved as a reciprocal access and maintenance agreement between the second tract of land described in Deed 2004-359927 and Parcel 3 of this plat as shown hereon. The strip of land is for the construction and maintenance of a private roadway and any private utilities necessary to serve said parcels, and both parcels shall have the right to ingress from and egress to N.W. Skillings Drive over this strip of land. Both Parcel 3 of this plat and the second tract described in Deed 2004-359927 shall share equally in the monetary responsibility of constructing said private roadway. Any party performing work in said strip of land which creates the need for maintenance shall be solely responsible to restore the strip of land as near as reasonable to its condition prior to work being performed.

Surveyor's Certificate

I, Darryl W. Harms, a registered professional land surveyor in the State of Oregon, hereby certify that I have correctly surveyed and marked with proper monuments the lands represented hereon, the boundary of which is described as follows: Beginning at the Southwest corner of Parcel 1, Partition Plat 2002-38, Partition Plat Records of Benton County, Oregon; thence North, on the West line of said Parcel 1, a distance of 555.36 feet to a 5/8 inch iron rod; thence North 19°24'37" West 277.89 feet to a 5/8 inch iron rod; thence North 84°15'20" East 338.73 feet to a 5/8 inch iron rod on the Southerly line of the right-of-way for County Road No. 15611 (N.W. Skillings Drive); thence on said right-of-way line South 41°16'05" East 265.65 feet to a 5/8 inch iron rod; thence South 56°26'45" East 210.26 feet to a 5/8 inch iron rod at the Northwest corner of the parcel of land conveyed to Richard C. Parrott and Kristen M. Parrott by deed recorded as M-309510-01, Deed Records of Benton County, Oregon; thence South 11°35'41" West 316.36 feet to a 5/8 inch iron rod; thence South 07°28'41" West 198.92 feet to a 5/8 inch iron rod on the Easterly line of said Parcel 1 of Partition Plat 2002-38; thence South 17°08'41" West 290.38 feet to the Southeast corner of said Parcel 1; thence on the Southerly line of said Parcel 1 North 58°58'11" West 191.77 feet to a 1/2 inch iron rod; thence North 59°33'34" West 296.61 feet to the point of beginning.

Declaration

Know all persons by these presents that Gerald M. Kwast and Sandra L. Kwast are the recorded owners of the land shown hereon and more particularly described in the Surveyor's Certificate, also the second tract of land described in Deed No. 2004-359927, Deed Records of Benton County, Oregon, and have caused same to be partitioned into parcels as shown. We hereby create the reciprocal access easement, waterline easements, drainfield easements and spring access easement as shown on the attached map. We hereby create the notes and maintenance agreement for the easements shown hereon.

Gerald M. Kwast
Gerald M. Kwast

Sandra L. Kwast
Sandra L. Kwast

Acknowledgement

State of Oregon } S.S.
County of Benton }

This is to certify that on this 13th day of April, 2004, before me, a notary for said state and county, did appear the within named Gerald M. Kwast and Sandra L. Kwast, that they are the identical individuals named in the foregoing instrument and acknowledged said instrument to be their voluntary act and deed.

Stephanie Wohlwend
Notary Signature
Stephanie Wohlwend
Notary—Public—Oregon (printed)

Commission No. 366684
My Commission Expires 3-17-07

Approvals

EXAMINED AND APPROVED THIS 23rd DAY OF April, 2004
BY: *Cecy Venet* for Peter Idema
BENTON COUNTY PLANNING OFFICIAL

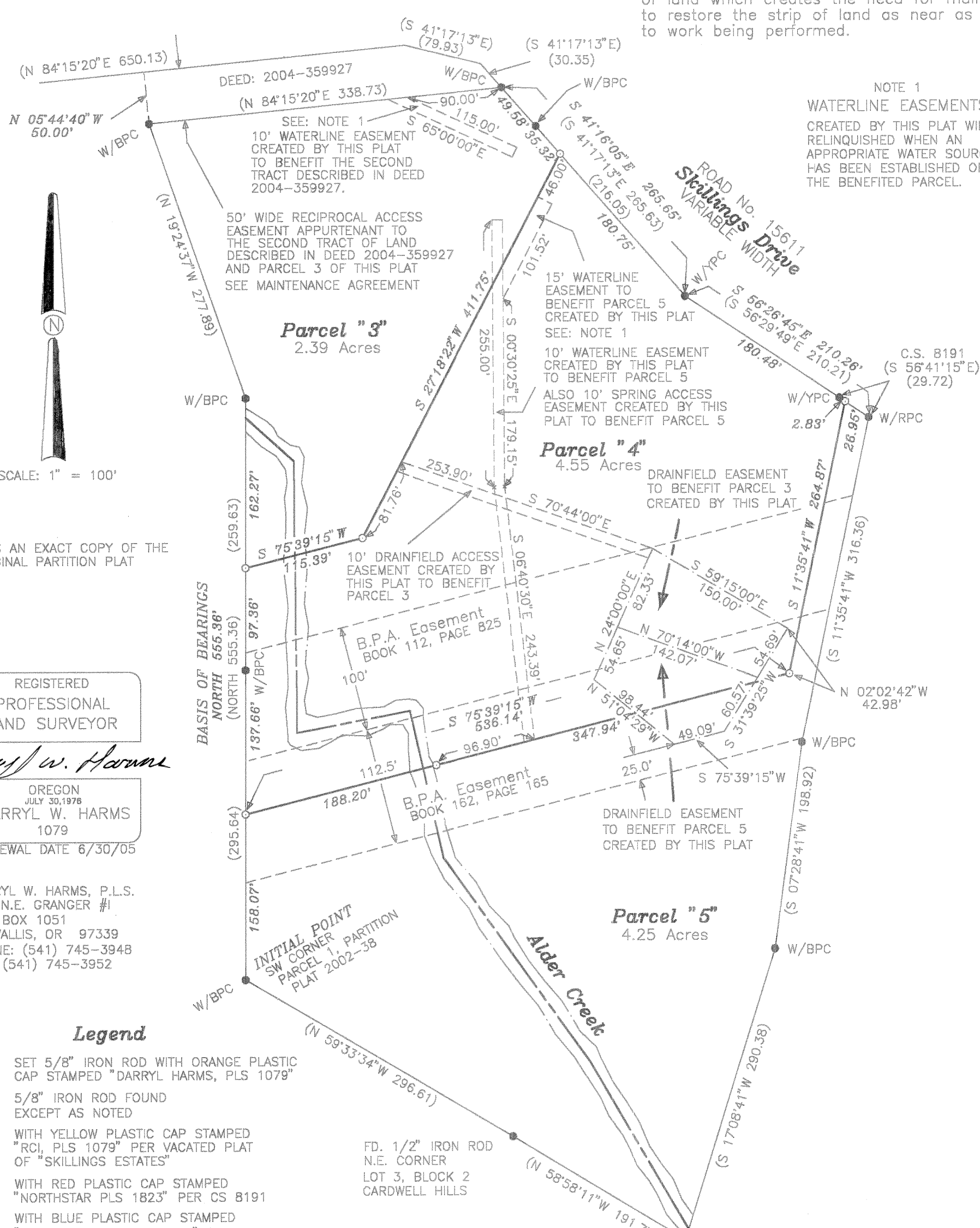
EXAMINED AND APPROVED THIS 23rd DAY OF April, 2004
BY: *Ray Wiken*
BENTON COUNTY SURVEYOR

Recording

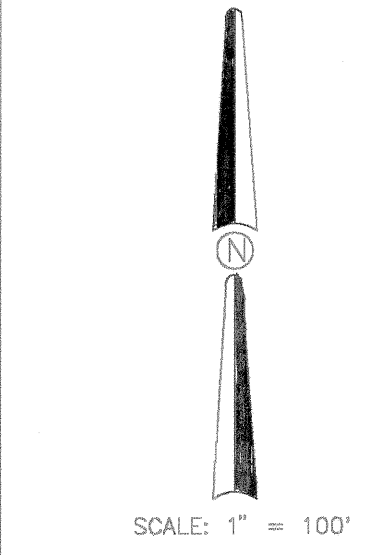
STATE OF OREGON)
COUNTY OF BENTON) S.S.
I HEREBY CERTIFY THAT THIS PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME AS PARTITION PLAT 2004-13 IN BENTON COUNTY DEED RECORDS, AS DOCUMENT No. 2004-365806 ON THIS 26th DAY OF April, 2004 AT 12:07 O'CLOCK P.
BY: *Kathleen Haring*
BENTON COUNTY CLERK Senior Deputy Clerk

Narrative

This plat was prepared to satisfy a condition of Benton County Community Development Dept. Case File No. LD-03-30 and is a replat of Parcel "1" of Partition Plat 2002-38 as adjusted per Case Files LD-03-27, LD-03-28 & LD-03-29, shown on C.S. 9845 and described in Deed 2004-359927. Found monuments were held in position for control and record data per Plat 2002-38 & C.S. 9845 is the same as measured for this survey.



NOTE 1
WATERLINE EASEMENTS
CREATED BY THIS PLAT WILL BE
RELINQUISHED WHEN AN
APPROPRIATE WATER SOURCE
HAS BEEN ESTABLISHED ON
THE BENEFITED PARCEL.



THIS IS AN EXACT COPY OF THE ORIGINAL PARTITION PLAT

REGISTERED PROFESSIONAL LAND SURVEYOR
Darryl W. Harms
DARRYL W. HARMS
1079
RENEWAL DATE 6/30/05
DARRYL W. HARMS, P.L.S.
720 N.E. GRANGER #1
P.O. BOX 1051
CORVALLIS, OR 97339
PHONE: (541) 745-3948
FAX: (541) 745-3952

- Legend
- SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "DARRYL HARMS, PLS 1079"
- 5/8" IRON ROD FOUND EXCEPT AS NOTED
- W/YPC WITH YELLOW PLASTIC CAP STAMPED "RCI, PLS 1079" PER VACATED PLAT OF "SKILLINGS ESTATES"
- W/RPC WITH RED PLASTIC CAP STAMPED "NORTHSTAR PLS 1823" PER CS 8191
- W/BPC WITH BLUE PLASTIC CAP STAMPED "DARRYL HARMS, PLS 1079" PER PARTITION PLAT 2002-38 OR CS 9845
- () RECORD DATA FROM PARTITION PLAT 2002-38 OR CS 9845

FD. 1/2" IRON ROD N.E. CORNER LOT 3, BLOCK 2 CARDWELL HILLS
FD. 1/2" IRON ROD N.E. CORNER LOT 4, BLOCK 2 CARDWELL HILLS