

NARRATIVE

The purpose of this survey is to partition that property described in the deeds recorded as M-56117(75) and M-30988-81 per Benton County Development Department File No. LU-05-065 and LU 05-66.

Basis of Bearings is the South line of the North half of the Samuel Gage DLC No 57 between 3/4" iron pipes shown in Galloway Hardcopy 12500042 (CS #137), South 89° 54' East between points "A" and "B".

Survey was by closed loop random traverse tying to the found monuments shown. The bearing of the South Line of the North Half of the Gage DLC has been shown variously as S89°54'E and S89°52'E. GHC 12500042 shows this portion of the line being S89°54'E while the portion of the line easterly of the slough is S89°52'E. Few previous surveys, with the exception of GHC 12500042, in this immediate area show how the centerline or the easterly right-of-way line of US Hwy 99W was established. In CS 9830 and CS 9980, the Oregon Department of Transportation resurveyed the highway and referenced monuments near the right-way-lines to their centerline. I accept ODOT centerline and corresponding widths shown in these surveys as representing the extent of the state right of way and established the westerly line of this partition at 30 feet from the centerline using the offset references to monuments at "A" and "C". The unrecorded monuments at "D" and "E" fall very close to the offsets cited in the ODOT surveys.

The north line was held at monuments shown in previous surveys CS 3429, CS 6955, CS 7232, and Partition Plat No. 97-02. The east boundary is the centerline of the Booneville Slough from M-56117(75) and M-30988-81 and GHC 12500042, however Division of State Lands maps indicates that the State claims to the Ordinary Low Waterline which was measured in several places along the slough. The unrecorded monuments at the west end of the 40 foot roadway, "D" and "E" were found acceptable for North/South position. I established the south line 20 feet southerly of the line from "F" (record position along the slough centerline) to "D".

SURVEYOR'S CERTIFICATE

I, Tyler B. Parsons, a Registered Professional Land Surveyor in the State of Oregon, hereby depose and say that on November 4, 2005, I correctly surveyed and marked with proper monuments the lands represented on the attached Partition Plat, the boundary of which is described as follows:

Beginning at a 5/8" iron rod on the easterly right of way line of the Pacific Highway West (US 99W), said iron rod being at the intersection of said easterly right of way line and the South line of the North half of the Samuel Gage Donation Land Claim No. 57, Township 12 South, Range 5 West, Willamette Meridian, Benton County, Oregon; thence South 89°54'00" East, 179.79 feet to a 5/8" iron rod; thence North 04°16'48" East, 42.25 feet to a 1/2" iron pipe; thence South 89°50'03" East, 228.80 feet to a 5/8" iron rod; thence South 89°50'05" East, 551.39 feet to a 5/8" iron rod; thence North 4°20'12" East, 316.36 feet to a 5/8" iron rod; thence North 04°22'54" East, 30.07 feet to a 5/8" iron rod; thence South 89°49'45" East, 504.18 feet to a 5/8" iron rod; thence South 04°17'41" West, 346.25 feet to a 5/8" iron rod; thence South 89°50'46" East, 154.08 feet, more or less to the Ordinary Low Waterline of the Booneville Slough; thence along said Ordinary Low Waterline South 64°50'11" West 304.67 feet and South 65°25'50" West 181.50 feet to a point on the south line of that property described in M-56117 (75), Benton County Deed Records; thence North 89°53'14" West, 1193.65 feet, more or less, to a 5/8" iron rod on the easterly right of way of said Pacific Highway West; thence North 4°25'55" East, 165.36 feet to the Point of Beginning

SUBJECT TO: A 40 foot strip for roadway purposes of abutting owners, described in M-56117 (75) and M-146011-92, the centerline of which is the South line of the above described property.
 ALSO SUBJECT TO: Restrictive Covenant Agreeing to Participate in Future Road and Street Improvements described in M-30988-81, and rights of the grantor to utilize the North 30 feet of a portion of Parcel 2 (as shown) as a roadway and to dedicate and deed same to Benton County for use as a roadway, as described in M-30988-81.
 SUBJECT TO: Conditions cited in Book 137, Page 312, Deed Records that "premises shall be used for residential purposes only and is also subject of any existing roadways" for that portion of Parcels 1 & 2 lying greater than 22 feet north of the North line of the South Half of Donation Land Claim No. 57.
 SUBJECT TO: A 10 foot wide Underground Right-Of-Way Easement to Pacific Power and Light Company recorded in M-22518-80, Deed Records
 INCLUDING: a variable width easement for road purposes described in M-30989-81.

PARTITION PLAT No. 2006-06

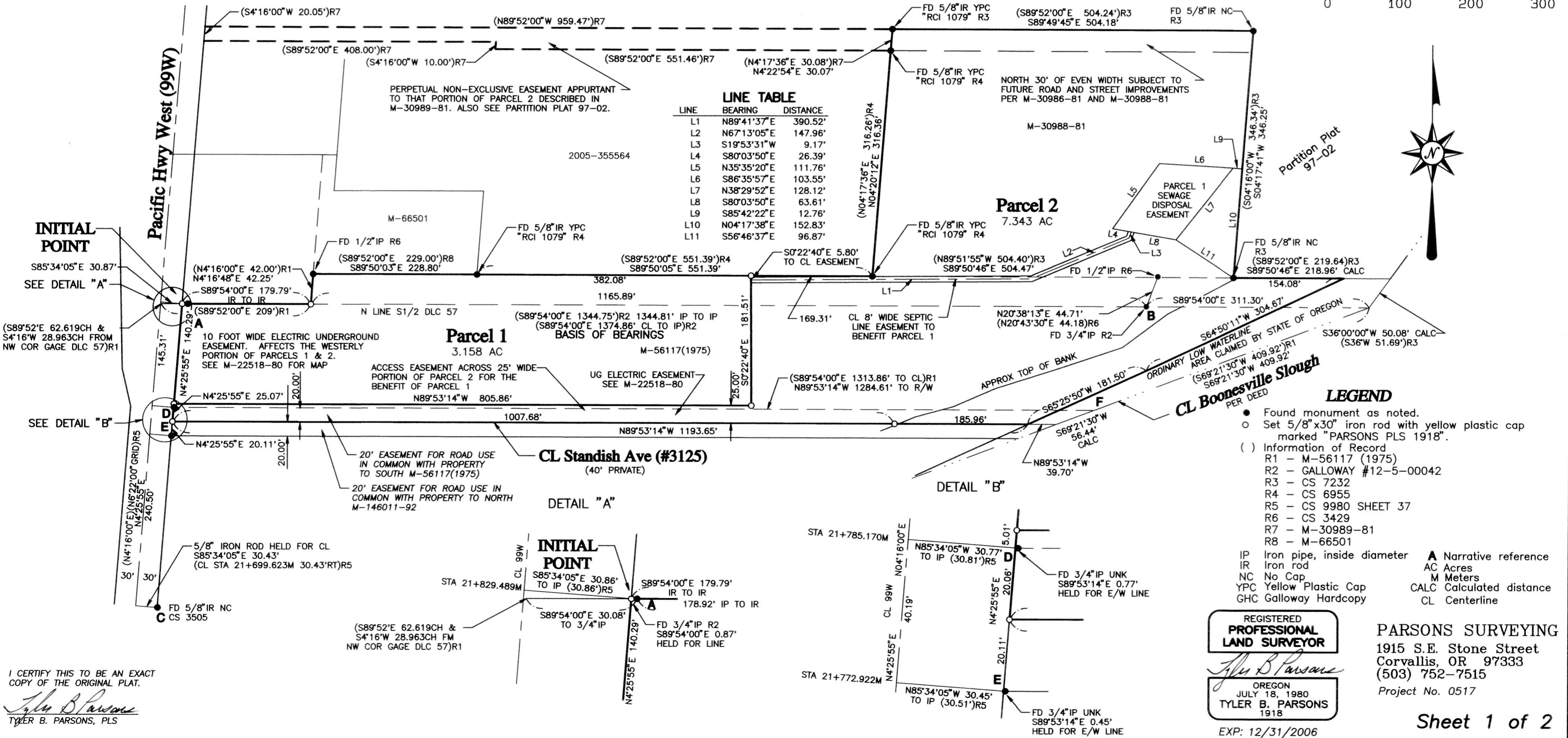
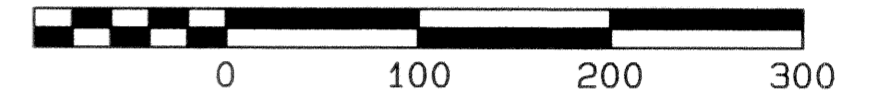
for

**A. Warren Swartzendruber and
 Jacoba A. Swartzendruber**

IN THE SAMUEL GAGE DLC No. 57
 SW1/4, SEC 23, T 12 S, R 5 W, W.M.
 BENTON COUNTY, OREGON
 NOVEMBER 4, 2005
 LU-05-065 & LU-05-066

REFERENCES:
 Surveys: GHC 12500042 (CS 137), 2022, 3419, 3429, 6955, 7232, 9830, 9980, Partition Plat 97-02; Deed Records: B109 P310, B109 P359, B111 P362, B111 P403, B116 P379, B137 P313, B140 P203, B140 379, B165 P44, B165 P95, B201 P624, M-56117(75), M-22518-80, M-30988-81, M-30987-81, M-30988-81, M-30989-81, M-146011-92, 2003-355564

GRAPHIC SCALE 1"=100'



I CERTIFY THIS TO BE AN EXACT COPY OF THE ORIGINAL PLAT.
 Tyler B. Parsons
 TYLER B. PARSONS, PLS

REGISTERED PROFESSIONAL LAND SURVEYOR
 Tyler B. Parsons
 OREGON JULY 18, 1980
 TYLER B. PARSONS 1918
 EXP: 12/31/2006

PARSONS SURVEYING
 1915 S.E. Stone Street
 Corvallis, OR 97333
 (503) 752-7515
 Project No. 0517
 Sheet 1 of 2

P:\E:\CS\Sub\0517\Swartzendruber\0517Part.plt
 PLS: 11/7/2005

DECLARATION

Know all men by these presents that we, A. Warren Swartzendruber and Jacoba A. Swartzendruber, husband and wife, are the recorded owners of the lands represented on this Partition Plat, and more particularly described in the accompanying Surveyor's Certificate, and have caused the same to be surveyed and partitioned into Parcels. We hereby grant to Parcel 1 a 25 foot access easement over and across that portion of Parcel 2 lying to the South of Parcel 1. We also grant an easement across Parcel 2 for the construction, maintenance, use and repair of an individual water-carried on-site sewage disposal system appurtenant to Parcel 1 as shown. The easement area shall not be used for any purpose detrimental to said system or contrary to laws and rules of governmental agencies applicable or related to said system.

A. Warren Swartzendruber
A. Warren Swartzendruber

Jacob A. Swartzendruber
Jacoba A. Swartzendruber
who also took title as
Jackie Swartzendruber

PARTITION PLAT No. 2006- 06
for

**A. Warren Swartzendruber and
Jacoba A. Swartzendruber**

IN THE SAMUEL GAGE DLC No. 57
SW1/4, SEC 23, T 12 S, R 5 W, W.M.
BENTON COUNTY, OREGON
NOVEMBER 4, 2005
LU-05-065 & LU-05-066

ACKNOWLEDGEMENT

STATE OF OREGON)
COUNTY OF BENTON) SS

This is to certify that on this 5th day of January, ~~2005~~ ²⁰⁰⁶, before me, a Notary Public for said State and County, did personally appear A. Warren Swartzendruber and Jacoba A. Swartzendruber, who, being duly sworn, did say that they are the identical persons named in the foregoing instrument and who acknowledged that they executed the same freely and voluntarily.

Linda D. McDermott
Notary Signature

373729
Commission No.

Linda D. McDermott
Notary Public-OREGON (Printed)

11/25/2007
My Commission Expires

APPROVALS

APPROVED Peter Idema 2-10-06
Benton County Planning Official Date

APPROVED Ray Wilson 2-10-06
Benton County Surveyor Date

I hereby certify that pursuant to O.R.S. 92.095, all ad valorem taxes, fees and other charges required by law to be placed on the 2005-2006 tax roll, which became a lien or will become a lien during this tax year on this partition, but not yet certified to the tax collector for collection, have been paid to me this 10th day of January, 2006.

Douglas Hilbert
Director, Benton County Dept. of Assessment Date

I hereby certify that all ad valorem taxes and other charges required by law to be placed on the tax roll which have become a lien on this partition that are now due and payable have been paid to the date of June 30, 2006.

T. Aurieda
Director, Benton County Dept of Finance
Auditing, and Tax Collection

RECORDING

STATE OF OREGON)
COUNTY OF BENTON) SS

I hereby certify that this partition plat was received and duly recorded by me as Partition Plat 2005- 06 in Benton County Deed Records as 2006-399 667 on this 10 day of February, 2006 at 1:55 o'clock pm.

by Tyler B. Parsons
Benton County Clerk

I CERTIFY THIS TO BE AN EXACT
COPY OF THE ORIGINAL PLAT.

Tyler B. Parsons
TYLER B. PARSONS, PLS

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Tyler B. Parsons

OREGON
JULY 18, 1980
TYLER B. PARSONS
1918

EXP: 12/31/2006

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1915 S.E. Stone Street
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Sheet 2 of 2