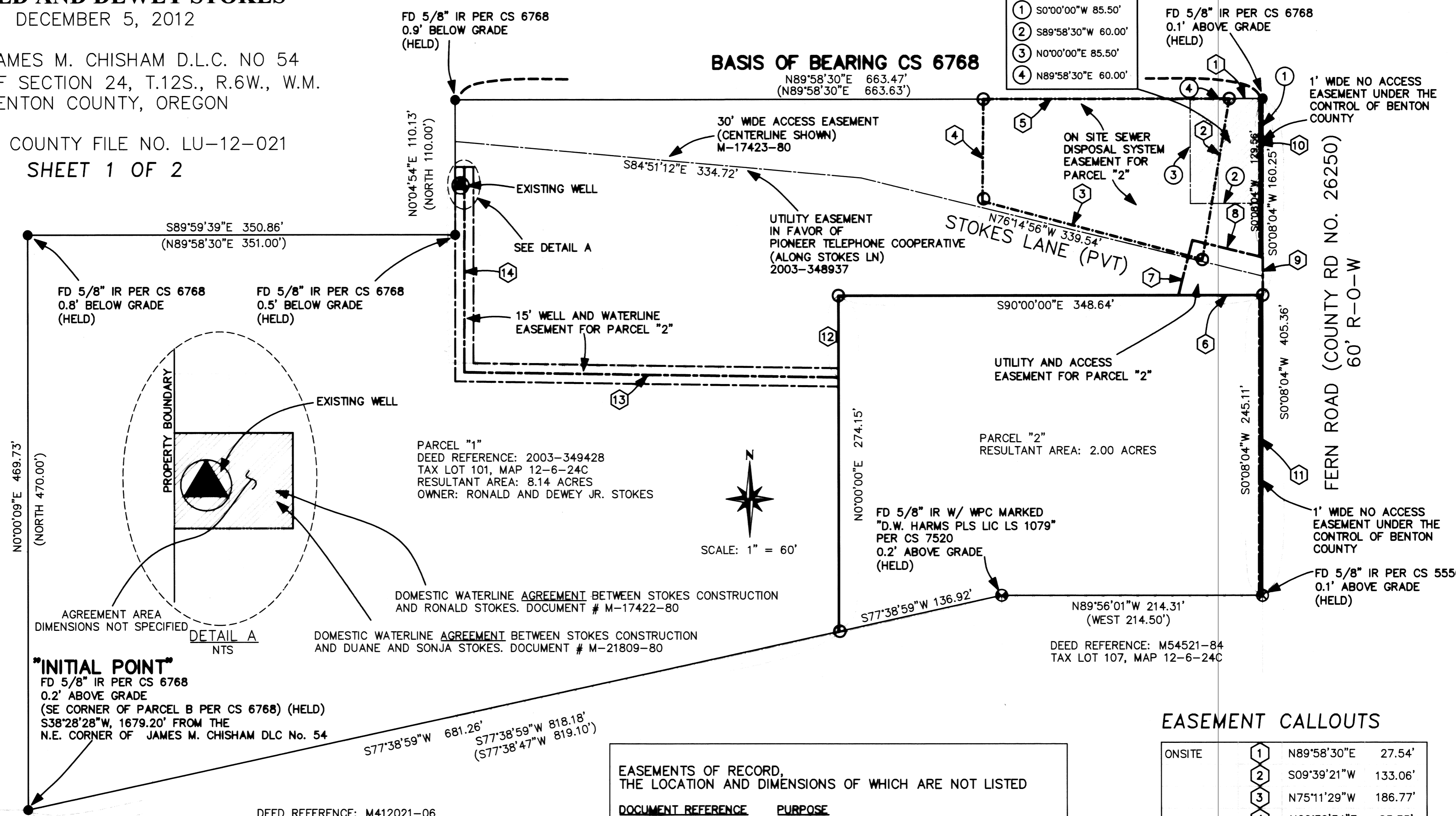


2013-018

PARTITION PLAT 2013 - 018 SURVEY  
FOR  
**RONALD AND DEWEY STOKES**  
DECEMBER 5, 2012

IN THE JAMES M. CHISHAM D.L.C. NO 54  
S.W. 1/4 OF SECTION 24, T.12S., R.6W., W.M.  
BENTON COUNTY, OREGON

BENTON COUNTY FILE NO. LU-12-021  
SHEET 1 OF 2



**"INITIAL POINT"**  
FD 5/8" IR PER CS 6768  
0.2' ABOVE GRADE  
(SE CORNER OF PARCEL B PER CS 6768) (HELD)  
S38°28'28"W, 1679.20' FROM THE  
N.E. CORNER OF JAMES M. CHISHAM DLC No. 54

**LEGEND**

- 5/8" X 30" REBAR SET W/ ORANGE PLASTIC CAP MARKED "JD MCGEE INC LS#58902"
- 5/8" IRON ROD FOUND PER CS 6768
- ⊗ 5/8" IRON ROD FOUND PER CS 7520
- ⊗ 5/8" IRON ROD FOUND PER CS 5550
- ⊗ EXISTING WELL
- Sxx°W xx' BEARING AND DISTANCE AS MEASURED
- (XX) RECORD INFORMATION FROM BENTON COUNTY DEED 2003-349428
- ORIGINAL DEED BOUNDARY LINES
- - - PROPOSED SEPTIC EASEMENT LINES
- - - PROPOSED EASEMENT LINES
- EXISTING FENCE
- - - RECORD EASEMENTS

EASEMENTS OF RECORD,  
THE LOCATION AND DIMENSIONS OF WHICH ARE NOT LISTED

DOCUMENT REFERENCE	PURPOSE
M-69320-76	UTILITY EASEMENT (ELECTRIC AND TELEPHONE) IN FAVOR OF CONSUMER POWER, INC.
M-53665-75	UTILITY EASEMENT (ELECTRIC AND TELEPHONE) IN FAVOR OF CONSUMER POWER, INC.

I, John McGee, certify that this is an exact copy of the original plat.



RENEWAL DATE: 12/31/14

**JDMcGee, Inc.**  
Engineering & Surveying  
Land Use Planning  
Wastewater Design  
"Solving Problems for You"

1215 Main Street  
PO Box 1472  
Philomath, OR 97370  
(541) 929-4226  
(541) 929-4227 fax

JDM PROJECT# 12-59 DRWN BY: SDO JR CHKD BY: JDM

**EASEMENT CALLOUTS**

ONSITE	①	N89°58'30"E	27.54'
	②	S09°39'21"W	133.06'
	③	N75°11'29"W	186.77'
	④	N00°36'34"E	83.35'
ACCESS	⑤	N90°00'00"E	202.00'
	⑥	N90°00'00"W	69.29'
	⑦	N14°25'42"E	46.48'
	⑧	S76°14'56"E	59.49'
NO ACCESS	⑨	S0°08'04"W	30.87'
	⑩	S0°08'04"W	129.56'
WATERLINE	⑪	S0°08'04"W	244.93'
	⑫	S0°00'00"W	66.64'
	⑬	N89°11'52"W	307.30'
	⑭	N0°04'54"E	167.68'

2013-018

PARTITION PLAT 2013 - 018 SURVEY FOR RONALD AND DEWEY STOKES DECEMBER 5, 2012

IN THE JAMES M. CHISHAM D.L.C. NO 54 S.W. 1/4 OF SECTION 24, T.12S., R.6W., W.M. BENTON COUNTY, OREGON

BENTON COUNTY FILE NO. LU-12-021 SHEET 2 OF 2

NARRATIVE

September 5, 1978, Stokes Construction Co. retained Surveyor Russell T. Pinard to survey and monument a "Minor Land Partition", County Survey (CS) 6768, which created Parcel A of which the subject property is a part, as well as Parcel B, which is adjacent to the subject property on the west and north boundaries. Parcel C was also created but has no bearing on this narrative.

May 4, 1983, Stokes Construction Co. retained Surveyor Darryl W. Harms to survey and monument a "Minor Land Partition" CS 7520, which further divided parcel A from CS 6768 into Parcels A and B. The property under consideration for the current partition is a portion of Parcel A as shown on CS 7520.

Parcel B, CS 6768, was transferred to Dewey Stokes Jr. in a Bargain and Sale Deed, recorded in Benton County Deed Records Document No. M370992-04, on July 19, 2004. The boundary is a metes description without call for monuments or reference to the Minor Partition Plat. Errors in the bearing and distance calls were noted.

A portion of Parcel A, CS 7520, was conveyed by Statutory Warranty Deed recorded in Benton County Deed Record Document M412021-06, on October 18, 2006, leaving the property described in Bargain and Sale Deed, Benton County Deed document No. M349428-03, dated August 15, 2003, listing Ronald D. Stokes and Dewey Stokes Jr. as Grantee.

Document No. M412021-06 lists the boundary as a metes and bounds description without calls to monuments or partition plats.

Document No. M349428-03, which is intended to describe the subject partition property, lists the boundary as a metes description without calls for monuments. The first page of the five page document indicates that the document is being "Rerecorded to correct Legal Description" and was "Previously recorded as 2002 329766." The description is shown on the fourth page and entitled "Exhibit A." Following the text of the metes description, on subsequent lines, the words "Tax Lot 101" and "Tax Account #176291", are listed. Page five of the document is a copy of the tax map. The metes description matches the boundary calls on the tax map; however the boundary calls on the tax map do not match partition plat CS 6768 and CS 7520. The tax map does not list a bearing or distance along the east boundary of the subject parcel. The deed lists that bearing and distance as "South 705.32 feet". The 705.32' value can be found on CS 6768, however on that plat it is not intended to describe the east line of the subject property. Mathematically, the description fails to close by over 300 feet.

Stokes Construction Company, Inc. was first registered with the Oregon Secretary of State in 1976, with Dewey Stokes Jr. listed as the President. Since Stokes Construction initiated the partitions and Dewey Stokes Jr. is the President and is also the owner/ joint owner of the parcels with conflicting descriptions, I contacted Mr. Dewey Stokes Jr. and his brother Mr. Ronald Stokes to inquire as to the original intent of the conveyances.

On November 16, 2012, I discussed the original intent with Mr. Ronald Stokes via telephone. He indicated that the property-division was surveyed by surveyors that they retained. The intent of all parties, all being family members, was to create parcels according to the partition plat maps with the corners being marked by the rod set by the surveyors.

On November 18, 2012, I discussed the original intent with Mr. Dewey Stokes Jr. via telephone. He confirmed that they had retained the surveyors and that the intent of subsequent conveyance was for boundaries to be defined by the rods set during the land partitioning.

Possession lines, being marked with fences, substantiate the claim to monuments. As a result, I found and held monuments around the perimeter of the subject property as for the boundary.

Randomly positioned control points were set and measured using Spectra Precision Focus 30 robotic total station (2-second angular and 2mm + 2PPM distance accuracy). Control points and found-monuments positions were determined by the mean of four sets of direct and reverse angles and distances. Monuments for the new property line set using conventional methods.

DECLARATION

Know all persons by these presents that Ronald D Stokes, Dewey Stokes Jr. and Eva Breitwieser 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 platted into Parcels and Easements as shown hereon.

A) The following easements are created and granted in favor of Parcel 2 over a portion of Parcel 1:

- 1) A 15' wide easement for construction and maintenance of a domestic waterline and access to the existing well as shown on the attached map.
2) An easement for ingress and egress and utilities as shown on the attached map.
3) Easements for the construction, maintenance, use and repair of an individual water-carried onsite sewage disposal system (hereafter called "system" appurtenant to the above described property of Grantees).

B) The following easements have been created and granted in favor of Benton County:

- 1) A 1-foot-wide strip easement for access control of a Portion of Parcel 1 as shown on the map and the east line of which being more particularly described as follows:
Beginning at a 5/8 inch rod at the northeast corner of said Parcel "1", said corner being on the Right-of-Way line of County Road 26250 (Fern Road); thence South 0°08'04" West, along said Right-of-Way, 129.56 feet to the terminus.
2) A 1-foot-wide strip easement for access control of a Portion of Parcel 2 as shown on the map and the east line of which being more particularly described as follows:

Beginning at a 5/8 inch rod at the northeast corner of said Parcel "2", said corner being at the intersection of the Right-of-Way line of County Road 26250 (Fern Road) and the south edge of Stokes Lane, as traveled; thence South 0°08'04" West, along said Right-of-Way, 244.93 feet to the terminus at the south boundary of Parcel "2".

Dewey Stokes Jr. 5-15-13 DATE

Ronald D. Stokes, co-owner of the property hereby being partitioned, has given consent to this Land Partition via affidavit recorded as Document 2013-507296, Benton County Deed Records.

Eva Breitwieser, acquired titled as Eva L. Stokes, co-owner of the property hereby being partitioned, has given consent to this Land Partition via affidavit recorded as Document 2013-507097, Benton County Deed Records.

ACKNOWLEDGMENT

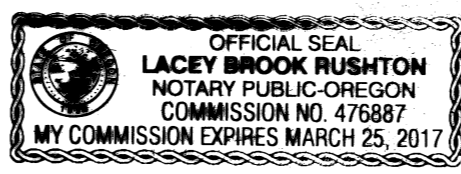
STATE OF OREGON )
COUNTY OF BENTON )

Signed and attested before me on this 15th day of May, 2013, by Dewey Stokes Jr.

Lacey Brook Rushton NOTARY SIGNATURE

Lacey Brook Rushton NOTARY PUBLIC - OREGON (PRINTED NAME OF NOTARY ABOVE LINE)

COMMISSION NO. 476887



APPROVALS (LU 12-021)

Approvals by Benton County Planning Official and Benton County Surveyor dated 5/21/2013.

TAX COLLECTOR'S AND ASSESSOR'S STATEMENT

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID THROUGH JUNE 30, 2013.

BY: Vicki Pines DIRECTOR BENTON CO. DEPARTMENT OF ASSESSMENT DATE 5-21-2013

BY: Irish Shallowford DIRECTOR BENTON CO. DEPARTMENT OF FINANCE, AUDITING AND TAX COLLECTION DATE 05-21-2013

RECORDER'S STATEMENT

STATE OF OREGON )
COUNTY OF BENTON )

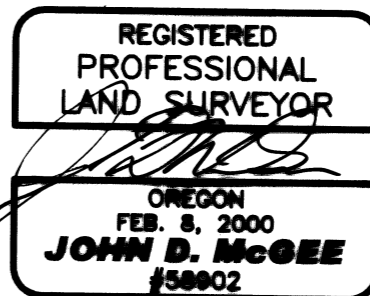
I hereby certify that this partition plat was received and duly recorded by me as partition plat 2013-018 in Benton County deed records as document number 2013-507095 on this 22 day of May, 2013 at 9:21 o'clock AM

FOR [Signature] BENTON COUNTY CLERK DATE 22 May 2013

SURVEYOR'S CERTIFICATE

I, John David McGee, a registered professional land surveyor in the state of Oregon, hereby certify that I have correctly surveyed and marked with proper monuments the parcels shown on the attached map, the exterior boundary of which being more particularly described as follows:

Beginning at a 5/8" rod at the southeast corner of Parcel "B", Minor Land Partition Survey for Stokes Construction Co., recorded in Benton County Surveyors Office as C.S. File No. 6768; thence along the boundary of said Parcel "B" the following courses, NORTH 00°00'09" EAST 469.73 feet to a 5/8 rod; thence SOUTH 89°59'39" EAST 350.86 feet to a 5/8" rod; thence NORTH 00°04'54" EAST 110.13 feet to a 5/8" rod; thence NORTH 89°58'30" EAST 663.47 feet to a 5/8" rod on the west Right-of-Way of County Road No. 26250; thence leaving said Parcel "B" boundary, SOUTH 00°08'04" WEST, along said Right-of-Way, 405.36 feet to a 5/8" rod at the northeast corner of Parcel "B", Minor Land Partition for Stokes Construction Co., recorded in the Benton County Surveyors Office as C.S. File No. 7520; thence NORTH 89°56'01" WEST, along said north line, 214.31 feet to a 5/8" rod at the northwest corner of said Parcel "B"; thence leaving said Parcel "B" boundary, SOUTH 77°38'59" WEST 818.18 feet to the POINT OF BEGINNING.



JDMcGee, Inc. Engineering & Surveying Land Use Planning Wastewater Design "Solving Problems for You" 1215 Main Street PO Box 1472 Philomath, OR 97370 (541) 929-4226 (541) 929-4227 Fax

JDM PROJECT# 12-59 DRWN BY: SDO JR CHKD BY: JDM

I, John McGee, certify that this is an exact copy of the original plat.