

"SILVER SANDS SUBDIVISION"

LOCATED IN THE SW 1/4 OF THE NW 1/4 OF SECTION 26.
T 5 N., R 26 E., W.M., MORROW COUNTY, OREGON.
SUBDIVISION APPLICATION SD-N-202

SURVEYOR'S CERTIFICATE AND NARRATIVE

I, JUDSON L. COPPOCK, DO DEPOSE AND SAY THAT I AM A DULY REGISTERED LAND SURVEYOR OF THE STATE OF OREGON AND THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH LEGAL MONUMENTS THE LAND REPRESENTED IN THIS SUBDIVISION PLAT.

THE INITIAL POINT IS A 5/8" X 30" STEEL REBAR WITH A PLASTIC CAP MARKED LS-2850 SET FLUSH WITH THE GROUND AND IS LOCATED N 89° 43' 06" E 30.00' FROM THE WEST 1/4 CORNER OF SECTION 26, T 5 N., R 26 E., W.M., MORROW COUNTY, OREGON.

THE BOUNDARY SURVEY OF THIS PLAT IS BASED UPON TWO SURVEYS BY EARL D. MING, ONE FOR ROBERT GILLETT DATED 7/15/83 AND THE OTHER FOR NEWPORT DATED 10/06/83. MING'S SURVEY FOR GILLETT CREATED 6 PARCELS ("A" THROUGH "F") AND LEFT TWO TAX LOTS, (# 300 AND # 302), BETWEEN HIS SURVEYS PARCELS ("B" AND "C") AND PARCELS ("D" AND "E") WITHIN THE EXTERIOR BOUNDARY OF HIS SURVEY. HIS SURVEY FOR NEWPORT PARTITIONED PARCEL "F" OF HIS GILLETT SURVEY INTO TWO PARCELS SHOWN ON HIS NEWPORT SURVEY AS F-1 AND F-2. THERE IS A 30 FOOT WIDE EASEMENT SHOWN ON MING'S GILLETT SURVEY WHICH LIES ALONG THE SOUTH BOUNDARY OF PARCELS "F" AND "E". THIS 30 FOOT WIDE EASEMENT CONTINUES NORTH ALONG THE EAST BOUNDARY OF PARCEL "E". THEN THERE IS A BREAK IN THIS 30 FOOT WIDE EASEMENT ACROSS TAX LOTS 300 AND 302 AS SHOWN ON MING'S GILLETT SURVEY. THEN AGAIN A 30 FOOT WIDE EASEMENT IS SHOWN ALONG THE EAST BOUNDARY OF PARCEL "C" AS SHOWN ON THE GILLETT SURVEY. THE GAP IN THESE 30 FOOT WIDE EASEMENTS IS CLOSED IN A SURVEY BY MING DATED 2/06/84 FOR GILLETT. THESE 30 FOOT EASEMENTS AS SHOWN ON MING'S SURVEYS FOR GILLETT DID NOT STATE THEIR PROPOSE, BUT AN EXAMINATION OF THOSE SURVEYS CLEARLY INDICATES THAT THE EASEMENTS SHOWN WERE PROVIDED FOR INGRESS AND EGRESS TO THOSE PARCELS WHICH WOULD BE LANDLOCKED WITHOUT THEM.

IN A MEMORANDUM OF CONTRACT "GILLETT TO NEWPORT" M-22326 A METES AND BOUNDS DESCRIPTION WAS USED. IT FOLLOWED FAITHFULLY THE BEARINGS AND DISTANCES OF MING'S 7/15/83 SURVEY. IT ALSO CALLED FOR THE MONUMENTS SET BY MING IN THAT SURVEY. OUTSIDE THE TEXT OF THE PROPERTY DESCRIPTION AND ON THE SAME DOCUMENT, CALLS FOR A 30 FOOT WIDE INGRESS AND EGRESS EASEMENT AND A CALL FOR A DOMESTIC WATERLINE EASEMENT (LAST RECORDED DOMESTIC WATER AGREEMENT RECORDED ON M-32603) WERE DESCRIBED WITH SPECIFIC REFERENCE TO MING'S 7/15/83 SURVEY AS FILED WITH THE MORROW COUNTY SURVEYOR. IT MUST BE ASSUMED THAT THE METES AND BOUNDS DESCRIPTION

WAS PREPARED USING MING'S 7/15/83 SURVEY AS IT'S SOURCE, AND THAT THE PROPERTY DESCRIBED WITH THIS METES AND BOUNDS DESCRIPTION WAS IN FACT, PARCEL "F", AS SHOWN ON MING'S 7/15/83 SURVEY FOR GILLETT. IT SHOULD BE NOTED THAT THIS DOCUMENT ALSO RESERVED TO THE SELLER (GILLETT) ALL MINERAL RIGHTS.

A MEMORANDUM OF CONTRACT "NEWPORT TO BUTTS" M-22336 IN WHICH A METES AND BOUNDS DESCRIPTION WAS ALSO USED AND AGAIN FAITHFULLY MING'S 7/15/83 SURVEY AND MING'S SURVEY FOR NEWPORT DATED 10/06/83 AND FILED IN THE MORROW COUNTY SURVEYORS RECORDS, IN WHICH MING PARTITIONED PARCEL "F" OF HIS 7/15/83 SURVEY INTO PARCELS "F-1" AND "F-2" FOR GILLETT. THE MEMORANDUM OF CONTRACT "NEWPORT TO BUTTS" M-22336 WHICH STATES A SALE DATE OF 26 SEPT. 1983 AND A RECORDING DATE OF 24 OCT. 1983. DESCRIBES BY METES AND BOUNDS THE PARCEL SHOWN AS PARCEL "F-1" ON MING'S 10/06/83 SURVEY. IT ALSO DIRECTLY MENTIONS MING'S 7/15/83 SURVEY IN REFERENCE TO THREE EASEMENTS PERTAINING TO IRRIGATION AND DOMESTIC WATER.

IN A CONTRACT OF SALE FROM THE "VETERAN'S AFFAIRS TO NEWPORT" M-31514 IN WHICH A METES AND BOUNDS DESCRIPTION WAS USED (TO DESCRIBE THE PARCEL SHOWN AS PARCEL "F-2" ON MING'S 10/06/83 SURVEY FOR NEWPORT AND MING'S LATER SURVEY DATED 2/06/84 FOR GILLETT) THERE WAS NO MENTION OF THOSE MING SURVEYS. THERE WAS A REFERENCE TO THE MEMORANDUM OF CONTRACT "NEWPORT TO BUTTS" M-22336 IN DESCRIBING IRRIGATION AND DOMESTIC WATER EASEMENTS. THIS DOCUMENT "M-31514" WHERE A BLANKET EASEMENT TO UMATILLA ELECTRIC COOPERATIVE " BOOK 45, PAGE 52 " IS MENTIONED. FROM THIS TIME FORWARD THERE IS NO MENTION OF MING'S SURVEYS ON ANY DEEDS OR CONTRACTS. ONLY METES AND BOUNDS DESCRIPTIONS WERE USED. ALTHOUGH THE CALLS ARE ALL FAITHFUL TO MING'S SURVEYS FOR BOUNDARY CALLS, THE FAILURE TO CALL FOR THE RECORDED MING SURVEYS CAUSED THE EXISTENCE OF THE 30 FOOT WIDE EASEMENT TO BE HIDDEN IN THE OLD DEED RECORDS. ONLY MY RESEARCHING THE MORROW COUNTY SURVEY RECORDS INDICATED THAT I SHOULD ALSO TRACE THE DEEDS BACK TO GILLETT TO FIND IF MING'S SURVEYS WERE REFERRED TO IN OLDER DEEDS. THE MEMORANDUM OF CONTRACT (M-22326) DID CALL FOR MING'S SURVEY DATED 7/15/83 WHEN DESCRIBING EASEMENTS THE CONTRACT WAS SUBJECT TO. THE CURRENT WARRANTY DEED "CORDOVA TO HUDDLESTON" AS RECORDED ON M-39881 DOES NOT MENTION ANY INGRESS AND EGRESS EASEMENTS. IT ONLY MAKES A STATEMENT OF " SUBJECT TO ROADS AND ROAD RIGHTS-OF-WAY.

OWNER'S DECLARATION AND DEDICATIONS:

WE, THE OWNERS OF THE LAND DESCRIBED ON THIS PLAT, HEREBY DECLARE THAT WE HAVE CAUSED THIS SUBDIVISION PLAT TO BE PREPARED AND THAT THIS PLAT IS THE OFFICIAL PLAT OF "SILVER SANDS SUBDIVISION".

WE ALSO DEDICATE THE EXISTING 30 FOOT WIDE EASEMENT AS SHOWN ALONG THE SOUTHERLY 30 FEET OF LOTS 1, 2, 3 AND 4 FOR ROADWAY PURPOSES TO THE PUBLIC WITHOUT RESERVATION OR RESTRICTION OTHER THAN REVERSIONARY RIGHTS UPON VACATION ARE VESTED IN LOTS 1, 2, 3 AND 4. THESE REVERSIONARY RIGHTS ARE RESTRICTED TO THE LANDS WHICH WOULD BE INCLUDED BY A SOUTHERLY EXTENSION OF THEIR NORTH-SOUTH BOUNDARY LINES TO THE SOUTH LINE OF THIS PLAT.

WE ALSO DEDICATE THE NORTHERLY 10 FEET OF LOTS 1, 2, 3 AND 4 AS A UTILITY EASEMENT.

WE ALSO DEDICATE TO LOT 1, ALL RIGHTS AND OBLIGATIONS AS PROVIDED BY THE WATER USE AGREEMENT RECORDED ON M-22336 MORROW COUNTY RECORDS TO LOT 1. THIS INCLUDES THE EXISTING DISTRIBUTION SYSTEM WHICH NOW PROVIDES POTABLE DOMESTIC WATER TO LOT 1.

WE ALSO DEDICATE THE 50 FOOT RADIUS TEMPORARY "EMERGENCY VEHICLE TURN AROUND" AS SHOWN BETWEEN LOTS 3 AND 4. THIS A TEMPORARY EASEMENT ONLY. IT IS TO BE AUTOMATICALLY AND PERMANENTLY VACATED WHEN, BY THE ACTS OF OTHERS, AN EASTERLY EXTENSION TO THE ABOVE DESCRIBED 30 FOOT WIDE ROADWAY IS DEDICATED TO THE PUBLIC.

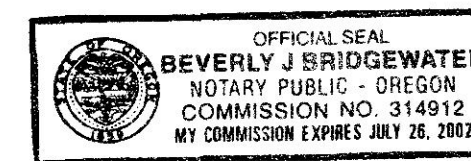
Ronald E. Huddleston
RONALD E. HUDDLESTON

Nancy E. Huddleston
NANCY E. HUDDLESTON

STATE OF OREGON
COUNTY OF MORROW } S S

SUBSCRIBED AND SWORN BEFORE ME ON
THIS 25th DAY OF March, 1999.

Beverly J. Bridgewater
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: 7/26/2002



RECEIVED BY

Morrow County Surveyor
Date 3/99
Rec'd by *De*
No. C-1203-E (983)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Judson L. Coppock
OREGON
JANUARY 20, 1998
JUDSON L. COPPOCK
2850

RENEWAL DATE: DEC 31/2002

APPROVALS:

THIS PLAT IS HEREBY APPROVED ON THIS 4 DAY OF March 1999.

St. Dennis Edward
MORROW COUNTY SURVEYOR

THIS PLAT IS HEREBY APPROVED ON THIS 8th DAY OF March 1999.

Janis J. Mablatt
MORROW COUNTY PLANNING COMMISSION

THIS PLAT IS HEREBY APPROVED ON THIS 16 DAY OF March 1999.

Greg Seaver
MORROW COUNTY ASSESSOR

TAXES ARE PAID IN FULL ON THIS 16 DAY OF March 1999.

Marilyn Childers
MORROW COUNTY TAX COLLECTOR

MORROW COUNTY COURT:

THIS PLAT IS HEREBY APPROVED ON THIS 17th DAY OF MARCH 1999.

Steven C. Sallum
MORROW COUNTY JUDGE

Dan Brown
MORROW COUNTY COMMISSIONER

John W. Engholm
MORROW COUNTY COMMISSIONER

STATE OF OREGON
COUNTY OF MORROW } S S

I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED AND FILED FOR RECORD
ON THIS 19th DAY OF March 1999, AT 8:10 A.M. AS FILE NO. M-57287

Barbara Bloodworth
MORROW COUNTY CLERK

Shirley McNeal
BY: DEPUTY

THIS IS A TRUE COPY OF THE ORIGINAL.

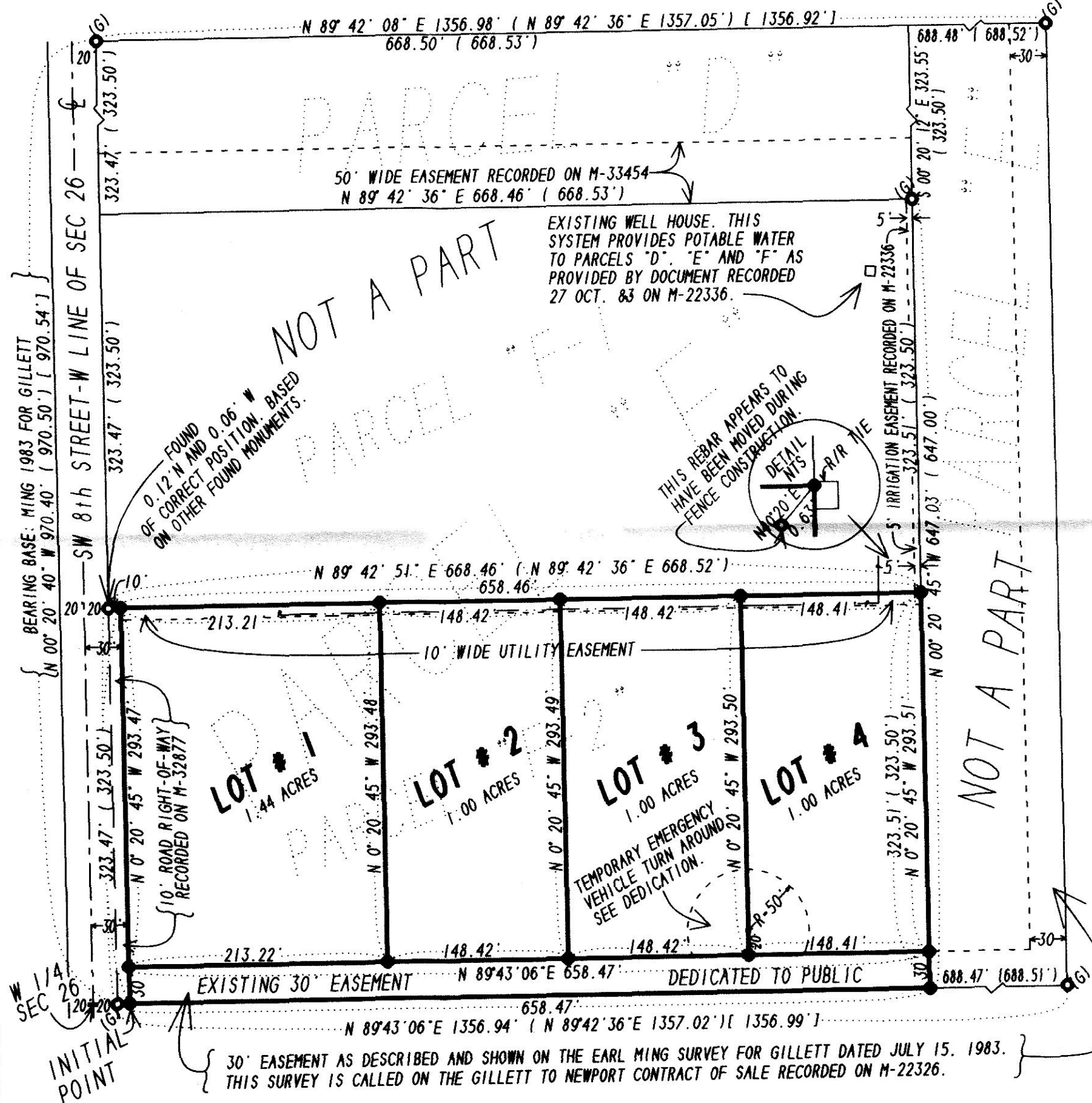
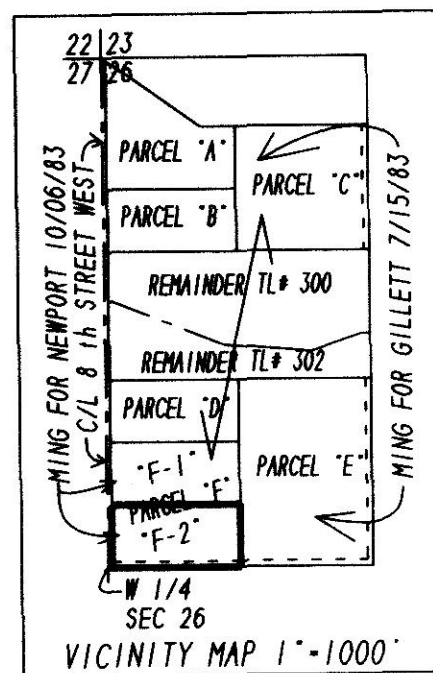
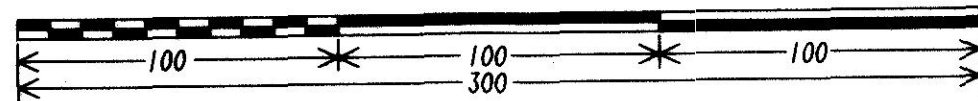
Judson L. Coppock

PLAT PREPARED BY:
COPPOCK SURVEYING 541-667-6974
PO BOX 340 FAX 567-3081
1210 SW 11TH, # 29 judocnet.com
HERMISTON, OR. 97839 28 FEB 1999

LEGEND:

- SET 5/8" X 30" STEEL REBAR WITH PLASTIC CAP MARKED LS 2850.
- FOUND 5/8" STEEL REBAR SET BY MING.
 - (G) FOR GILLETT 7/15/83.
 - (N) FOR NEWPORT 10/06/83.
- EXISTING UMATILLA ELECT COOP POWER LINE. BLANKET EASEMENT RECORDED IN BOOK 45, PAGE 52. MORROW COUNTY DEED RECORDS.
- - - EASEMENTS AS NOTED.

SCALE
1"=100'



DESCRIPTION:

COMMENCING AT THE WEST 1/4 CORNER OF SECTION 26, T 5 N., R 26 E., W.M., MORROW COUNTY OREGON; THENCE N 89° 43' 06" E 30.00 FEET ALONG THE CENTER OF SECTION LINE TO A 5/8" STEEL REBAR WHICH IS THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ALONG THE SAID CENTER OF SECTION LINE N 89° 43' 06" E 658.47 FEET TO A 5/8" STEEL REBAR WHICH IS SET AT THE SOUTHEAST CORNER OF PARCEL "F" AS SHOWN ON A SURVEY BY MING FOR GILLETT DATED 7/15/83; THENCE N 0° 20' 45" W 323.51 FEET TO A 5/8" STEEL REBAR SET AT THE NORTHEAST CORNER OF PARCEL "F-2" AS CREATED ON A SURVEY BY MING FOR NEWPORT DATED 10/06/83; THENCE S 89° 42' 51" W 658.46 FEET ALONG THE NORTH BOUNDARY OF SAID PARCEL "F-2" TO A TO A 5/8" STEEL REBAR; THENCE S 0° 20' 45" E 323.47 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF 8th STREET WEST TO THE TRUE POINT OF BEGINNING.

SUBJECT TO ALL REGULATIONS, EASEMENTS, AGREEMENTS AND RESERVATIONS AS RECORDED ON THE DEED RECORDED ON M-39881 MORROW COUNTY DEED RECORDS. ALSO SUBJECT TO THE ADDITIONAL EASEMENTS, DEDICATIONS AND ASSIGNMENTS AS SHOWN ON THE FACE OF THIS PLAT.

CONTAINING 4.98 ACRES.

LEGAL DESCRIPTION AS RECORDED ON M-39881. MORROW COUNTY DEED RECORDS.

(TOWNSHIP 5 NORTH, RANGE 26 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON.)
SECTION 26: BEGINNING AT THE WEST QUARTER OF SECTION 26, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:
THENCE NORTH 89° 42' 36" EAST A DISTANCE OF 688.51 FEET TO A POINT;
THENCE NORTH 00° 20' 37" WEST A DISTANCE OF 323.50 FEET TO A POINT;
THENCE SOUTH 89° 42' 36" WEST A DISTANCE OF 688.51 FEET TO A POINT;
THENCE SOUTH 00° 20' 37" EAST A DISTANCE OF 323.50 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

EXCEPT REGULATIONS OF THE WEST EXTENSION IRRIGATION DISTRICT, AN EASEMENT RECORDED JULY 19, 1938 IN BOOK 45, PAGE 52. EXCEPTING ALL ROADS AND ROAD RIGHT OF WAY. SUBJECT TO U.S. PATENTS. WATER USE AGREEMENT RECORDED FEBRUARY 27, 1989, IN BOOK "M", PAGE 32603. RESERVATIONS IN DEED RECORDED MARCH 20, 1989 IN BOOK "M" PAGE 32729.)
RECORDED ON JANUARY 28, 1995. MORROW COUNTY DEED RECORDS.