

MORROW COUNTY PARTITION PLAT # 2009-2

LD NUMBER LP-S-402 LOCATED IN SECTIONS 19, 20, 21, 27, 28, 29, 30, 32, 33 AND 34, TOWNSHIP 4 SOUTH, RANGE 24 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON.

OWNERS DECLARATION:

WE, THE SUCCESSOR CO-TRUSTEES OF THE ROBERT G. VAN SCHOIACK TRUST THE OWNER OF THE LAND SHOWN ON THIS PARTITION PLAT, HEREBY, DECLARE THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED AND IT WAS OUR FREE AND WILLFUL ACT.

WE ALSO RECOGNIZE AND ACCEPT THE EXISTING ROW FOR THE COUNTY ROAD KNOWN AS BUTTERMILK CANYON ROAD AND SHOWN ON THIS PLAT AS IT EXISTED ON THE DATE OF RECORDING OF THIS PLAT.

WE ALSO DEDICATE A 40 FOOT WIDE EASEMENT FOR AN EXISTING ROAD AS SHOWN NEAR THE SOUTHWEST CORNER OF SECTION 21 AND BEGINNING AT THE BUTTERMILK CANYON ROAD, RUNNING SOUTHEASTERLY TO THE WEST LINE OF PARCEL 2 AND THEN IN A SOUTHEASTERLY DIRECTION ACROSS PARCEL 2 TO THE SOUTH LINE OF SECTION 21 T 4 S, R 24 E W.M. FOR THE BENEFIT OF BOTH PARCEL 1 AND 2. THIS IS TO PROVIDE ACCESS OF PARCEL 2, TO A COUNTY ROAD AND FOR PARCEL 1 TO CONTINUE IT'S HISTORIC USE OF THIS ROAD ACROSS PARCEL 2.

| | | |
|--|---|--|
| <p><i>Daniel Van Schoiack</i> DANIEL VAN SCHOIACK CO-TRUSTEE</p> <p>STATE OF <u>OREGON</u> } SS COUNTY OF <u>MORROW</u> }</p> <p>ON THIS <u>15TH</u> DAY OF <u>May</u>, 2009 DANIEL VAN SCHOIACK, APPEARED BEFORE ME AND ACKNOWLEDGED THAT HE AND OTHERS HAVE CAUSED THIS INSTRUMENT TO BE PREPARED AND THAT IT WAS HIS FREE AND VOLUNTARY ACT.</p> <p><i>Barbara E. Hayes</i> BARBARA E. HAYES PRINTED NAME</p> <p>NOTARY PUBLIC FOR <u>OREGON</u> NOTARY PUBLIC NUMBER <u>418426</u> MY COMMISSION EXPIRES <u>July 14, 2011</u></p> | <p><i>William Van Schoiack</i> WILLIAM VAN SCHOIACK CO-TRUSTEE</p> <p>STATE OF <u>OREGON</u> } SS COUNTY OF <u>MORROW</u> }</p> <p>ON THIS <u>14TH</u> DAY OF <u>MAY</u>, 2009 WILLIAM VAN SCHOIACK, APPEARED BEFORE ME AND ACKNOWLEDGED THAT HE AND OTHERS HAVE CAUSED THIS INSTRUMENT TO BE PREPARED AND THAT IT WAS HIS FREE AND VOLUNTARY ACT.</p> <p><i>Shannon K Benefit</i> SHANNON K BENEFIT PRINTED NAME</p> <p>NOTARY PUBLIC FOR <u>OREGON</u> NOTARY PUBLIC NUMBER <u>418520</u> MY COMMISSION EXPIRES <u>JUNE 19, 2011</u></p> | <p><i>Marie Linnell</i> MARIE LINNELL CO-TRUSTEE</p> <p>STATE OF <u>Oregon</u> } SS COUNTY OF <u>Umatilla</u> }</p> <p>ON THIS <u>14TH</u> DAY OF <u>May</u>, 2009 MARIE LINNELL, APPEARED BEFORE ME AND ACKNOWLEDGED THAT SHE AND OTHERS HAVE CAUSED THIS INSTRUMENT TO BE PREPARED AND THAT IT WAS HER FREE AND VOLUNTARY ACT.</p> <p><i>Flora Larson</i> FLORA LARSON PRINTED NAME</p> <p>NOTARY PUBLIC FOR <u>Oregon</u> NOTARY PUBLIC NUMBER <u>395722</u> MY COMMISSION EXPIRES <u>11/27/09</u></p> |
|--|---|--|

SURVEYOR'S CERTIFICATE:

I, JUDSON L. COPPOCK A REGISTERED LAND SURVEYOR FOR THE STATE OF OREGON, DO HEREBY CERTIFY THAT I HAVE CORRECTLY RESEARCHED THE LANDS PARTITIONED BY THIS PLAT. I ALSO CERTIFY THAT THIS PARTITION PLAT COMPLIES WITH ALL OF THE PROVISIONS OF ORS CHAPTER 92 FOR NON-SURVEYED PLATS.

REGISTERED PROFESSIONAL LAND SURVEYOR

Judson L. Coppock
OREGON
JANUARY 20 1988
JUDSON L. COPPOCK
2850
RENEWAL DATE: DEC. 31, 2009

STATE OF Oregon } SS
COUNTY OF MORROW }

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED AND FILED FOR RECORD ON THE 18TH DAY OF May, 2009 A.D. AT 3:47:57 O'CLOCK P.M.

AND RECORDED AS FILE NUMBER 2009-23889

MORROW COUNTY CLERK

DEPUTY

APPROVALS:

* UMATILLA COUNTY SURVEYOR *
APPROVED THIS 16 DAY OF May, 2009.
David H. K...
UMATILLA COUNTY SURVEYOR

* MORROW COUNTY PLANNING DEPT. *
APPROVED THIS 14TH DAY OF MAY, 2009.
Christa St...
PLANNING DIRECTOR

* MORROW COUNTY ASSESSOR AND TAX COLLECTOR *
TAXES ARE PAID IN FULL AND THIS PLAT IS APPROVED THIS 18 DAY OF May, 2009.
Judson L. Coppock
ASSESSOR AND TAX COLLECTOR

RECORDED IN
Morrow County Surveys
Date SEPT 15 2009
Rec'd By SKB
No. 1549-C

THIS IS A TRUE COPY OF THE ORIGINAL.

Judson L. Coppock
JUDSON L. COPPOCK PLS.

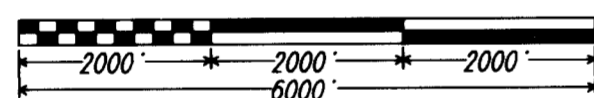
PARTITION PLAT FOR:
WILLIAM C. VAN SCHOIACK
55248 BUTTERMILK CANYON ROAD
HEPPNER, OR 97836

COPPOCK SURVEYING 12 MAY 2009
P.O. BOX 495 541-676-8750
HEPPNER, OR 97836 FAX 676-8753
Job No. 0209511

SURVEYORS NARRATIVE:

THE PURPOSE OF THIS PARTITION PLAT IS TO REMOVE 160 ACRES FROM PART OF THE ROBERT G. VAN SCHOIACK TRUST. THIS LAND WAS NOT SURVEYED AND IS PLATTED IN ACCORDANCE WITH ORS 92 AND COUNTY REQUIREMENTS. THE RECORDS OF ALL OF THE DIFFERENT COUNTY ROAD SEGMENTS THAT MAKE UP WHAT IS NOW KNOWN AS BUTTERMILK CANYON ROAD ARE NOT COMPLETE. I DID NOT LOCATE THE ROADS SHOWN ON THE GROUND. THEIR LOCATIONS FOR THE PURPOSE OF THIS PLAT WERE TAKEN FROM THE BUTTERMILK QUAD OF THE USGS MAPS AND IS NOT A SURVEYED LOCATION. THE ROAD THROUGH THIS PROPERTY IS ONE OF TWO MAINTAINED ROADS SERVING LONE ROCK, OREGON. THIS ONE FROM THE NORTH SIDE OF ROCK CREEK AND THE OTHER FROM THE SOUTH SIDE OF ROCK CREEK. IT APPEARS THAT THE RIGHT OF WAY OF THE BUTTERMILK CANYON ROAD IS 60 FEET ALONG MOST OF ITS LENGTH. FOR THE SEGMENT UP HARSHMAN CANYON I COULD FIND NO DOCUMENTATION FOR ITS EXISTENCE OTHER THAN THE FACT THAT IT EXISTS AND IS MAINTAINED AS PART OF BUTTERMILK CANYON ROAD. THE RECORDS THAT WERE FOUND AND REVIEWED INDICATE SOME CHANGES IN ROUTE WERE MADE OVER THE YEARS BOTH BY INTENT AND NATURAL ROAD MIGRATION CAUSED BY EROSION, UPKEEP AND MAINTENANCE. BUT I FOUND NO DOCUMENTS VACATING ANY OF THE ABANDONED EARLIER ROUTES AND ROAD LOCATIONS OTHER THAN THE 1932 ABANDONMENT OF PART OF ROOD CANYON ROAD. I SUSPECT THAT THIS WAS DONE BECAUSE THE HARSHMAN CANYON ROUTE WAS THE ROUTE IN USE AT THE TIME. I DO NOT SHOW ANY OF THE EARLY ROUTES ON THIS PLAT.

IT APPEARS FROM THE RECORDS THAT IN 1888 A ROAD REQUEST WAS SUBMITTED TO THE COUNTY COURT FOR A ROAD CROSSING ROCK CREEK RUNNING SOUTHERLY DOWN SWEETMILK CANYON TO ROCK CREEK AND CONTINUING ON SOUTH UP BUTTERMILK CANYON. THIS ROAD WAS REQUESTED TO BE A 40 FOOT WIDE ROAD BY THE PETITIONERS BUT WHEN THE COUNTY COURT ORDERED THE ROAD OPENED THEY DID NOT STATE A WIDTH. STATUTE AT THE TIME PLACED THE BURDEN ON THE COUNTY GOVERNMENTS TO STATE A ROAD WIDTH. BY STATUTE IF THAT WIDTH WAS NOT STATED AT THE TIME OF CREATION BY THE COUNTY GOVERNMENT THE ROAD RIGHT OF WAY SHALL BE 60 FEET BY STATUTE. IN 1911 A ROAD WAS CREATED WITH A 60 FOOT WIDE ROW TO SERVE HARDMAN-LONEROCK TRAFFIC DOWN ROOD CANYON TO ROCK CREEK AND THEN DOWN ROCK CREEK TO ITS INTERSECTION WITH THE 1888 SWEETMILK-BUTTERMILK ROAD. THE ROCK CREEK SECTION OF THIS ROAD WAS MOVED SEVERAL TIMES TO ITS PRESENT LOCATION THERE ARE THREE RECORDS OF THIS MOVEMENT. ONE BY DEED RECORDED IN BOOK 40, PAGE 635. ONE ROAD DEPT. DOCUMENT IN 1967 NOTING THAT ROAD WORK HAD DESTROYED FENCES AND COMPENSATION WAS MADE FOR THAT AND AN UNDATED LETTER FROM VAN SCHOIACK TO THE COUNTY STATING THAT IT WAS PERFECTLY PERMISSIBLE TO MOVE THE ROAD FROM THE BLUFF TO A LOCATION BENEATH THE BLUFF. IN 1932 PART OF THE 1911 ROOD CANYON ROAD WAS VACATED FROM ITS INTERSECTION WITH HARSHMAN CANYON EASTERLY TO ITS TERMINATION POINT. TODAY THERE IS A ROAD LEAVING ROOD CANYON FROM THE POINT VACATED IN 1932 THAT RUNS NORTHERLY UP HARSHMAN CANYON TO AN INTERSECTION WITH HALE RIDGE LANE. I WAS UNABLE TO FIND ANY DOCUMENTATION FOR THIS SECTION OF ROAD. I DON'T KNOW WHEN THE OLD ROAD UP SWEETMILK WAS ABANDONED. I SUSPECT IT WAS PRIOR TO THE 1932 ACTION VACATING PART OF THE 1911 ROAD BECAUSE OF THE HARSHMAN ROAD BEING THE EASIER ROUTE.



SCALE
1"=2000'

DESCRIPTION:

TOWNSHIP 4 SOUTH, RANGE 24 EAST OF THE WILLAMETTE MERIDIAN, MORROW COUNTY, OREGON

SECTION 19: LOT 3 AND 4, E1/2, E1/2 OF THE SW1/4;
SECTION 20: ALL
SECTION 21: SW1/4, NW1/4, S1/2 OF THE SE1/4, NW1/4 OF THE NE1/4;
SECTION 27: SW1/4;
SECTION 28: W1/2, SE1/4 AND THE S1/2 OF THE NE1/4;
SECTIONS 27 AND 28:

BEGINNING AT THE QUARTER CORNER BETWEEN SECTIONS 27 AND 28;
THENCE: EAST, ALONG THE EAST-WEST CENTERLINE OF SECTION 27 A DISTANCE OF 28.60 CHAINS;
THENCE: NORTH 10° 00' WEST A DISTANCE OF 28.04 CHAINS DOWN THE MIDDLE FORK OF ROCK CREEK TO THE MAIN ROCK CREEK AND ACROSS SAID MAIN ROCK CREEK TO THE NORTH BANK;
THENCE: NORTH 75° 45' WEST ALONG SAID NORTH BANK A DISTANCE OF 3.62 CHAINS;
THENCE: NORTH 88° 12' WEST ALONG SAID NORTH BANK A DISTANCE OF 8.27 CHAINS;
THENCE: SOUTH 78° 30' WEST ALONG SAID NORTH BANK A DISTANCE OF 12.11 CHAINS;
THENCE: SOUTH 79° 43' WEST ALONG SAID NORTH BANK A DISTANCE OF 11.90 CHAINS;
THENCE: NORTH 82° 10' WEST ALONG SAID NORTH BANK A DISTANCE OF 3.12 CHAINS;
THENCE: NORTH 63° 30' WEST ALONG SAID NORTH BANK A DISTANCE OF 8.74 CHAINS;
THENCE: NORTH 81° 50' WEST ALONG SAID NORTH BANK A DISTANCE OF 10.50 CHAINS;
THENCE: SOUTH 1.70 CHAINS TO THE SOUTH BANK OF ROCK CREEK;
THENCE: NORTH 57° 30' WEST ALONG SAID SOUTH BANK A DISTANCE OF 4.15 CHAINS;
THENCE: WEST 3.40 CHAINS TO THE NORTH AND SOUTH CENTERLINE OF SECTION 28;
THENCE: SOUTH ON SAID LINE 10.90 CHAINS;
THENCE: EAST 40 CHAINS TO THE SECTION LINE BETWEEN SECTIONS 27 AND 28;
THENCE: SOUTH ON SAID LINE 20 CHAINS TO THE PLACE OF BEGINNING;

SECTION 29: ALL EXCEPT THAT PORTION OF THE SW1/4 LYING WEST OF THE BUTTERMILK CANYON ROAD, ALSO EXCEPTING THE FOLLOWING DESCRIBED TRACT:
A TRACT OF LAND LYING IN THE NW1/4 OF THE NW1/4 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE SECTION LINE, SAID POINT BEING 1292 FEET SOUTH OF THE NW CORNER OF SAID SECTION 29;
THENCE: NORTH 63° 46' EAST A DISTANCE OF 267.5 FEET;
THENCE: NORTH 20° 11' WEST A DISTANCE OF 181.2 FEET;
THENCE: NORTH 68° 28' EAST A DISTANCE OF 150 FEET;
THENCE: NORTH 17° 27' WEST A DISTANCE OF 367.5 FEET;
THENCE: SOUTH 75° 55' WEST A DISTANCE OF 206.6 FEET;
THENCE: SOUTH TO PLACE OF BEGINNING.
CONTAINING 3.4 ACRES.

SECTION 30: LOT 1
SECTION 32: ALL, EXCEPT FOR THE LANDS LYING WESTERLY OF BUTTERMILK CANYON ROAD.
SECTION 33: ALL;
SECTION 34: W1/2 OF THE W1/2;