

PARTITION PLAT No. 2014 - 6

A Replat of Partition Plat 2011-14
Morrow County, Oregon LP-S-398
Township 1 South, Range 24 East, W.M.,
Sections 22, 23, 25, 26, 27, 33, 34, 35, and 36

for:
Marvin Padberg **JVB Properties, LLC**
64746 Rhea Creek Road **P.O. Box 165**
Ione, Oregon 97843 **Ione, Oregon 97843**

PROPERTY DESCRIPTIONS:
JVB Properties - Parcel 1 of Partition Plat 2011-14
Padberg - Parcel 2 of Partition Plat 2011-14
All Located in Township 1 South, Range 24 E.W.M., Morrow County, Oregon.
New Property(Parcel) Legal Descriptions are cited on Page 2 of 2.

SURVEYOR'S CERTIFICATE:

I, Ronald V. McKinnis, being a Registered Professional Land Surveyor of the State of Oregon, certify that I have correctly surveyed and monumented the lands portrayed on the face of this plat, that being Parcels 1 and 2 of Partition Plat 2011-14. I also certify that this plat complies with all provisions of Chapter 92 of the Oregon Revised Statutes. There were no monuments set as a result of this survey.

SURVEYOR'S NARRATIVE:

This survey is based on the my Original Survey for Partition Plat 2011-14. I created Legal Descriptions as cited on Page 2 of 2 of that Plat for both Parcels. The original survey was more to describe the Access/Egress and Utility Easements than to divide the Parent Parcel but since that time the two owners have had issues with the parcel boundaries as they were described in Section 26 around the edge of an irrigation pivot. As a result the issue was settled in an Arbitration Decision in Morrow County Case No. 10CV67, by arbitrator Garry Reynolds. I have therefore modified that boundary description to be in concordance with the judgements set forth in the Third Supplemental Arbitration Decision, December 13, 2012. The new legal descriptions of these redefined Parcels are again cited on page 2 of 2 of this Plat along with the necessary easements created for Access/Egress and for maintenance of wells and water delivery systems to continue the farming activities on both Parcels. I set no monuments for locations of the Parcels or Property boundaries but have calls in the legal's for various well locations and buried pipelines located within the Parcel Boundaries. I have also described one line between the Two New Parcels based on the physical location of irrigation equipment (Irrigation Pivot) found during this and my original survey. All of the Stipulated Limited Judgment Orders and Adjudged defined uses for easements for Case No. 10CV67 are shown and described on the face of this Plat. Since I set no monuments and there was no found Section Monuments to tie to this survey, I tied the found monuments from a survey by Delano for Morrow County, Mortar Lane, Road No. 576, C.S. #D-1352 -M, Folder 1352, to ensue future retracement of legal descriptions and easements.

The Locations of the Wells and irrigation improvements are:

WELL #1:
 Was Included in Permit #G-6296 and Certificate #48296;
 And described by me in COBU for Transfer #T-9443, All as / Corrected to:
 1020 Feet South and 300 Feet West of the Northeast Corner of Section 35, in NE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M.
 By Well Log # MORR 37 the well is described as being 1140 feet deep.

WELL #2:
 Originally described in the Permit for #G-8701 and was included in the Certificate #66074;
 Was Included by me in COBU for Transfer #T-9443, All as:
 1180 Feet South and 620 Feet West of the Northeast Corner of Section 35, in NE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M.
 By Well Log # MORR 36 the well is described as being 400 feet deep.

WELL #4:
 Originally described by me in COBU for Transfer #T-9443, as:
 2435 Feet South and 1015 Feet West of the Northeast Corner of Section 35, in SE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M.
 By Well Log # MORR 51114, the well is described as being 460 feet deep.

Rhea Creek POD:
 Described in Permit #S-44568, Certificate #66075 as:
 750 Feet South and 140 Feet West of the Northeast Corner of Section 35, in NE 1/4 of NE 1/4 of Section 35 of Township 1 South, Range 24 East, W.M.

OWNER'S DECLARATION / DEDICATION:

We, the undersigned owners of the lands as shown on this plat, do hereby dedicate the Easements for the uses as shown on this Plat. We also acknowledge that We have caused this plat to be created, We authorized that this Plat be prepared in accordance with the provisions of ORS Chapter 92, and We recognize this Plat as the Official Plat and Map of the Partition as filed in the County of Morrow, State of Oregon. We also acknowledge that this plat and all easements, uses, and descriptions are consistent with all Judgments of Morrow County Circuit Court Case No. 10CV67.

Marvin Padberg
 Marvin Padberg
John VandenBrink
 John VandenBrink, Member

On this 21st day of November, 2014 the above individuals, Marvin Padberg, John VandenBrink, & Janna VandenBrink appeared personally before me and are known to me to be the identical individuals who executed the plat dedication and acknowledgement and that they did so freely and voluntarily of their own will.

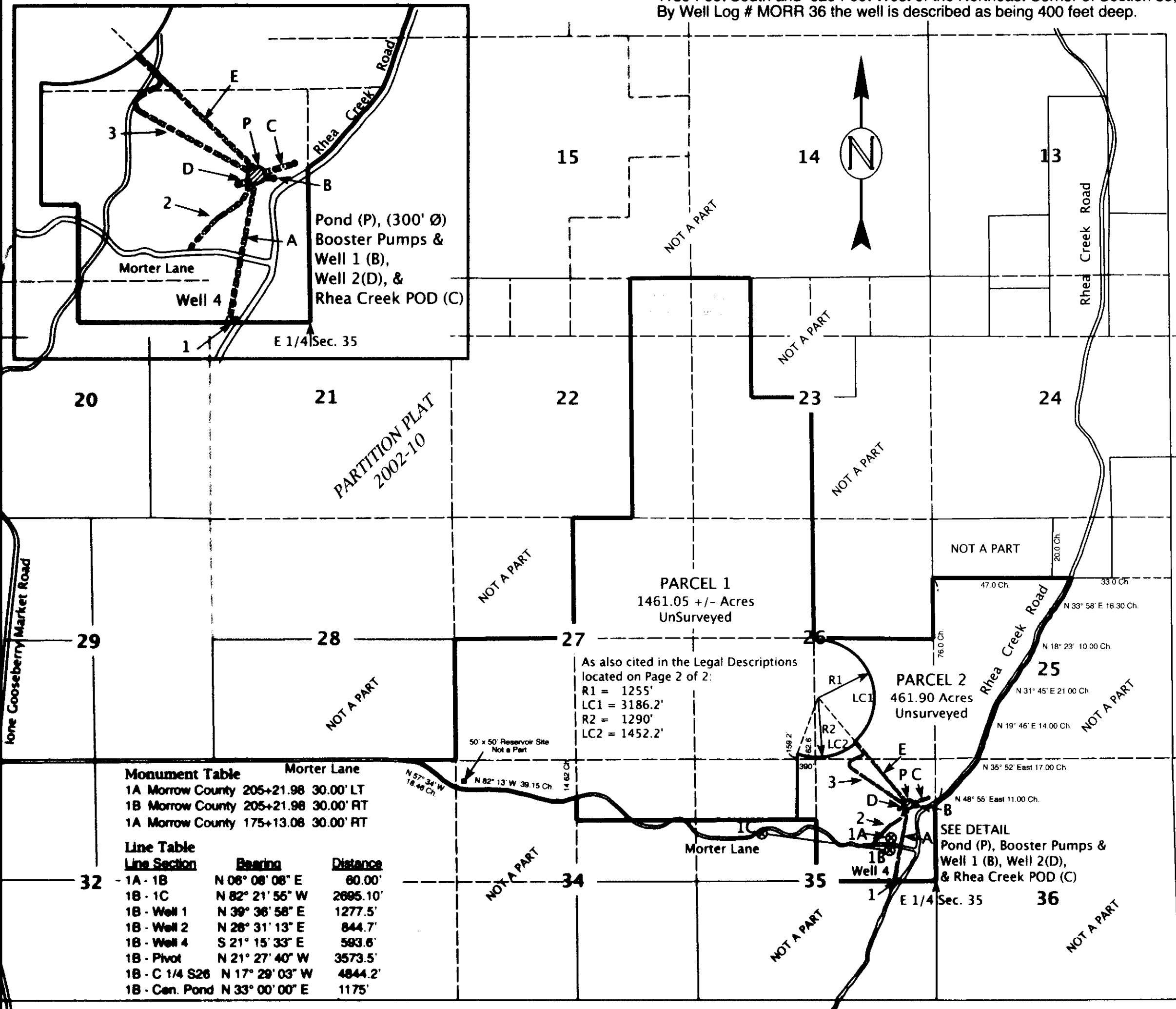
Before me: *Sharon L Rietmann*
 Notary Public for Oregon
 My Printed Name is Sharon L Rietmann
 My Commission No. is 454118
 My Commission Expires December 23, 2014

I, Ronald V. McKinnis do hereby certify that this is a true and exact copy of the Original 2014 Plat as filed for Marvin Padberg and JVB Properties, LLC in Morrow County

Ronald V. McKinnis

Rev. 02-28-14

DETAIL
 Scale 1" = 1000 Ft.



Monument Table

1A - Morrow County	205+21.98	30.00'	LT
1B - Morrow County	205+21.98	30.00'	RT
1A - Morrow County	175+13.08	30.00'	RT

Line Table

Line Section	Bearing	Distance
1A - 1B	N 08° 08' 08" E	60.00'
1B - 1C	N 82° 21' 56" W	2695.10'
1B - Well 1	N 39° 36' 58" E	1277.5'
1B - Well 2	N 28° 31' 13" E	844.7'
1B - Well 4	S 21° 15' 33" E	593.6'
1B - Pivot	N 21° 27' 40" W	3573.5'
1B - C 1/4 S26	N 17° 29' 03" W	4844.2'
1B - Can. Pond	N 33° 00' 00" E	1175'

APPROVALS:

I certify that I have examined and approved this Partition Plat on this 3rd day of December, 2014
Stephen K. Halbrook
 Morrow County Surveyor

I certify that I have examined and approved this Partition Plat on this 3rd day of Dec, 2014
Wanda N. Jones
 Morrow County Planning Director

I certify that I have examined and approved this Partition Plat on this 8 day of December, 2014

Richard D. Jones
 Morrow County Tax Assessor

Richard D. Jones
 Morrow County Tax Collector

Morrow County Clerk
 Recording Information

STATE OF OREGON }
 County of Morrow } SS

I certify that this instrument was received and recorded in the book of records of said county.
 Bobbi Childers,
 Morrow County Clerk

by: *Kandy Boyd* Deputy Clerk
 DOC #: 2014-35222
 RCPT: 15813
12/8/2014 3:04 PM

RECEIVED BY
 Morrow County Surveyor
 Date: 12-11-14
 Rec'd By: S.K.H.
 No.: 2014-1723C
 Folder No.: 1723

LEGEND

- ⊗ FOUND MONUMENTS
 1 1/4" Alum. Cap on 5/8" Rebar
 Morrow County, FSE
- PARTITION BOUNDARY

REGISTERED PROFESSIONAL LAND SURVEYOR

Ronald V. McKinnis

OREGON
RONALD V. MCKINNIS
 JAN. 23, 1990
 2431
 Expires 12-31-14

SCALE 1" = 2000 Ft.
 August, 2013

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ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. MCKINNIS ENGINEERING

79980 Prindle Loop Road
 Hermiston, Oregon 97838
 (541) -567-2017

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Morrow County, Oregon LP-S-398
Township 1 South, Range 24 East, W.M.,
Sections 22, 23, 25, 26, 27, 33, 34, 35, and 36**

for:

Marvin Padberg JVB Properties, LLC
64746 Rhea Creek Road P.O. Box 165
Ione, Oregon 97843 Ione, Oregon 97843

PROPERTY DESCRIPTION:

The property being Partitioned is Property previously described in the Morrow County Deed Records Microfilm M 2010-25966 and later Redescribed in Partiton Plat 2011-14 as two separate Parcels from that Plat Process as:

JVB Properties, LLC- Parcel 1 of Partition Plat 2011-14 as filed in the Records of Partiton Plats of Morrow County, State of Oregon.

Marvin Padberg - Parcel 2 of Partition Plat 2011-14 as filed in the Records of Partiton Plats of Morrow County, State of Oregon.

All Located within Township 1 South, Range 24 E.W.M., Morrow County, Oregon.

EASEMENT DESCRIPTONS:

IRRIGATION PIPELINES EASEMENTS: Located on Parcel 2 for the Benefit of Parcel 1

EASEMENT "A"

A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at WELL #4; Thence North 15° 45' 30" East a distance of 1290 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

EASEMENT "B"

A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at WELL #1; Thence West a distance of 90 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

EASEMENT "C"

A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, headgate, pump, and irrigation equipment, the centerline of which is described as follows: Beginning at the Rhea Creek POD; Thence South 78° 10' 20" West a distance of 247 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

EASEMENT "D"

A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at the WELL #2; Thence North 73° 45' 00" East a distance of 130 feet to the Irrigation Storage Pond and terminus of this Irrigation Pipeline Easement.

EASEMENT "E"

A 20 foot wide easement for operating, repairing, and maintaining an Irrigation Pipeline, the centerline of which is described as follows: Beginning at Irrigation Storage Pond; Thence North 40° 56' 20" East a distance of 1733 feet to the intersection of the Southeast line of New Parcel 1 and terminus of this Irrigation Pipeline Easement.

ACCESS/EGRESS EASEMENTS: Located on Parcel 2 for the Benefit of Parcel 1

EASEMENT "1"

A 20 foot wide easement for Access/ Egress for operating, repairing, and maintaining Well #4, the centerline of which is described as follows: Beginning at a point 830 Feet West and 10 Feet North of the East Quarter Corner of Section 35, Township 1 South, Range 24 East, W.M. said point being on the West Edge of the County Road; Thence West a distance of 185 feet ; Thence North 195 feet to WELL #4 and terminus of this Access/Egress Easement.

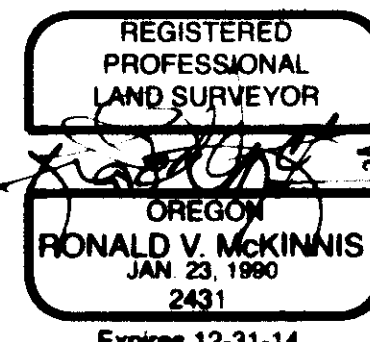
EASEMENT "2"

A 20 foot wide easement for Access/ Egress, the centerline of which is described as follows: Beginning at a point 1732 Feet West and 640 Feet North of the East Quarter Corner of Section 35, Township 1 South, Range 24 East, W.M. said point being on the North Edge of the County Road; Thence Northeast along a 120 foot radius curve to the right through an internal angle of 41° 58' 15" with a chord bearing North 20°47' 27" East 85.19 feet; Thence North 41° 58' 15" East 360 feet; Thence along a 330 foot radius curve to the right through an internal angle of 16° 0' 30" with a chord bearing North 49°58' 24" East 91.87 feet; Thence North 57° 58' 45" East 195 feet; Thence along a 330 foot radius curve to the left through an internal angle of 57° 58' 45" with a chord bearing North 29°11' 15" East 317.89 feet; Thence North 80 feet to the South side of the Irrigation Storage Pond; Thence along a Northeasterly direction, 175 feet with a 150 Foot Radius around the Irrigation Pond to the Beginning of Easement "3"; Thence continuing full length around the Irrigation Pond on a radius of 150 feet to close on this easement centerline where it became adjacent to the pond
The scope of use for Easement "2" shall be as set forth in the Second Supplemental Judgement dated June 28, 2013, in Morrow County Cuircuit Court Case No. 10CV067.

"WELL EASEMENT FOR WATER FROM SERVIENT TENEMENT AND EASEMENT FOR ACCESS TO DOMINANT TENEMENT"
Properties remain encumbered by easements as stipulated in document 2011-28891 of the Morrow County Records.

I, Ronald V. McKinnis do hereby certify that this is a true and exact copy of the Original 2014 Plat as filed for Marvin Padberg and JVB Properties, LLC in Morrow County

[Signature]
Ronald V. McKinnis
Expires 12-31-14



Rev. 02-28-14



SCALE 1" = 2000 Ft.
August, 2013

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New Legal Description of Parcel 1:

This Parcel was described in an Option Agreement as found in the Morrow County Deed Records Microfilm M 2001-00797 as: EXHIBIT "A", Option Parcel 1, Irrigated Acreage: A parcel of land located in Township 1 South, Range 24 East, W.M., Morrow County, Oregon being 1480.85 acres, more or less, more particularly described and "Modified" as follows:

Section 22: The East Half of the East Half;

Section 23: The West Half of the West Half and the East Half of the Southwest Quarter;

Section 26: The West Half and the Southeast Quater, EXCEPTING that portion lying Outside (East) of the Following Circle Description:

Beginning at the Center Quarter Corner of Section 26; Thence South 54.1 feet along the West Line of the Southeast Quarter of said Section 26 to the edge of a 1255 foot radius circle (R1) whose center bears S 6° 01' 42" East; Thence along the edge of said 1255 foot radius circle in a South and East direction a distance of 3186.2 feet (LC1) and through an arc of 145° 27' 36" with a chord bearing South 24°02' 45" East 2396.9 feet to a point on the Southwest line of Access Easement 3, Thence South 40° 56' 20" East along the Southwest line of said Access Easement 3 a distance of 35.0 feet; Thence Southwesterly along a 1290 foot radius circle (R2) a distance of 1452.2 feet (LC2) and through an arc of 64° 35' 10" with a chord bearing South 80°54'30" West 1376.4 feet; Thence South 159.2 feet more or less to the South Line of said Section 26, and Terminus of this Line Description.

Section 27: The East Half; The Southwest Quarter.

Section 34: The North Half of the Northeast Quarter.

IN ADDITION TO: Beginning at the Quarter Corner between section 27 and 34; Thence South a distance of 14.62 Chains to a point on the center of the County Road; Thence North 82° 13' West a distance of 39.15 Chains along the center of the County Road to a point; Thence North 57° 34' West a distance of 18.46 Chains along the center of the County Road to a point on the line between Sections 28 and 33; Thence East a distance of 54.16 Chains along the South line of Sections 28 and 27 to the Point of Beginning, containing 54.47 acres, more or less.

Section 35: All of the North Half of the Northwest Quarter, Excepting the Easterly 390 feet thereof.

EXCEPTING THEREFROM a small tract 50 feet x 50 feet square, lying in the North 1/2 of the Northwest Quarter of Section 34, Said reservation is to be used for a Reservoir Site and being more particularly described as follows:
A Tract of land 50.00 feet by 50.00 feet, the boundary lines running North, East, South and West respectively. The Southwest corner of which is South a distance of 8.33 Chains and East a distance of 3.36 Chains from the corner common to Sections 27, 28, 33, and 34.

New Legal Description of Parcel 2:

This Parcel was described in an Option Agreement as found in the Morrow County Deed Records Microfilm M 2001-00797 as: EXHIBIT "A", Option Parcel 2, Creek Side Acreage: A parcel of land located in Township 1 South, Range 24 East, W.M., Morrow County, Oregon being 462.10 acres, more or less, more particularly described and "Modified" as follows:

Section 26: All of that portion of the South Half of Section 26 lying Outside (East) of the Following Circle Description:

Beginning at the Center Quarter Corner of Section 26; Thence South 54.1 feet along the West Line of the Southeast Quarter of said Section 26 to the edge of a 1255 foot radius circle (R1) whose center bears S 6° 01' 42" East; Thence along the edge of said 1255 foot radius circle in a South and East direction a distance of 3186.2 feet (LC1) and through an arc of 145° 27' 36" with a chord bearing South 24°02' 45" East 2396.9 feet to a point on the Southwest line of Access Easement 3, Thence South 40° 56' 20" East along the Southwest line of said Access Easement 3 a distance of 35.0 feet; Thence Southwesterly along a 1290 foot radius circle (R2) a distance of 1452.2 feet (LC2) and through an arc of 64° 35' 10" with a chord bearing South 80°54'30" West 1376.4 feet; Thence South 159.2 feet more or less to the South Line of said Section 26, and Terminus of this Line Description.

Sections 25 & 36: Beginning at a point 24 chains North of the Southwest Corner of the Northwest Quarter of Section 36, being a point on the Southeast side of the County Road; Thence North 48° 55' East 11 Chains along the South side of the County Road; Thence North 35° 52' East 17 Chains along the Southeast side of said County Road; Thence North 19° 46' East 14 Chains along the Southeast side of said County Road; Thence North 31° 45' East 21 Chains along the Southeast side of said County Road; Thence North 18° 23' East 10 Chains along the Southeast side of said County Road; Thence North 33° 58' East 16.30 Chains along the Southeast side of said County Road to a point 20 Chains South and 33 Chains West of the Northeast Corner of Section 25; thence West 47 Chains; Thence South 76 Chains to the Point of Beginning.

Section 35: The Northeast Quarter and the East 390 feet of the North Half of the Northwest Quarter.

ACCESS/EGRESS EASEMENTS: Located on Parcel 2 for the Benefit of Parcel 1.

EASEMENT "3"

A 20 foot wide easement for Access/ Egress from Parcel 1 for operating, repairing, and maintaining irrigation pipelines & system, along with maintaining Well #1, Well #2, Booster Pumps, the Pond, and Well#4. the centerline of which is described as follows:

Beginning at a point 620 Feet West and 1660 Feet North of the East Quarter Corner of Section 35, Township 1 South, Range 24 East, W.M. said point being contiguous with terminus of Easement "2" and on the Northwest Edge of the Irrigation Storage Pond; Thence North 40° 56' 20" West 1320 feet; Thence along a 120 foot radius curve to the right through an internal angle of 112° 13' 00" with a chord bearing North 15°07' 35" East 199.12 feet; Thence North 71° 11' 30" East 278 feet; Thence along a 120 foot radius curve to the left through an internal angle of 112° 13' 00" with a chord bearing North 15°07' 35" East 199.12 feet; Thence North 40° 56' 20" West 277 feet more or less to the intersection of the Southeast line of Parcel 1 and terminus of this Access/Egress Easement.

RECEIVED BY
Morrow County Surveyor
Date: 12-11-14
Rec'd By: S.K.H.
No.: 2014-1723C
Folder No.: 1723

1723