

LAND PARTITION PLAT NO. 2019-04

A PARTITION OF PARCEL 1 OF LAND PARTITION 2003-09
SITUATED IN THE NW1/4 SECTION 2, T.17S., R.31E., W.M.,
CITY OF SENECA, GRANT COUNTY, OREGON

SURVEYOR'S CERTIFICATE

I, MICHAEL C. SPRINGER, PROFESSIONAL LAND SURVEYOR, REGISTERED IN THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, PARCELS 1, 2 AND 3 OF THIS LAND PARTITION. SAID PARTITION BEING SITUATED IN THE NW1/4 SECTION 2, T.17S., R.31E., W.M., CITY OF SENECA, GRANT COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1 OF LAND PARTITION NO. 2003-09, ACCORDING TO THE PLAT THEREOF FILED IN THE OFFICE OF THE GRANT COUNTY CLERK ON SEPTEMBER 15, 2003.

I DO HEREBY DESIGNATE THE SOUTHEAST CORNER OF PARCEL 3 OF THIS LAND PARTITION AS THE INITIAL POINT.

THE GROSS AREA OF THIS PARTITION IS 1.21 ACRES: PARCEL 1= 0.46 AC.; PARCEL 2= 0.22 AC.; PARCEL 3= 0.22 AC.; PARK AVENUE SOUTH= 0.31 AC.

NARRATIVE

THIS PLAT WAS PREPARED FOR THE CITY OF SENECA AT THE REQUEST OF RAAMIN BURRELL, CITY MANAGER. THE PURPOSE OF THIS PROJECT WAS TO PARTITION THE SUBJECT PROPERTY INTO THREE PARCELS AND TO DEDICATE A PORTION OF SAID PROPERTY TO THE PUBLIC AS A CITY STREET, AS SHOWN ON THE ANNEXED PLAT.

THE CITY'S PARCEL WAS CREATED BY LAND PARTITION NO. 2003-09 WHICH WAS SURVEYED AND PLATTED BY KENNETH DELANO, JR. PLS IN 2003. PRIOR TO THE PARTITION, MR. DELANO CONDUCTED A SURVEY FOR THE CITY WHICH IS RECORDED AS MAP OF SURVEY NO. 1674. DURING THAT SURVEY MR. DELANO RESOLVED THE BOUNDARY OF THE SUBSEQUENT LAND PARTITION, INCLUDING A PORTION OF THE RIGHT OF WAY OF U.S. HIGHWAY 395 SOUTH.

A SEARCH WAS MADE OF AVAILABLE RECORDS PERTAINING TO THIS SURVEY. FIELD MEASUREMENTS WERE MADE TO LOCATE APPURTENANT MONUMENTS SHOWN ON RECORD SURVEY NO'S 779, 1674 AND LAND PARTITION PLAT NO. 2003-09. I ACCEPT THE FOUND MONUMENTS FROM THESE SURVEYS AS SHOWN ON THE ANNEXED PLAT. I ALSO FOUND OREGON STATE HIGHWAY DEPARTMENT (OSHD) MAP NO. 5B-18-16 (THE COPY I OBTAINED IS NOT DATED).

IN 2018 I CONDUCTED SURVEY NO. 2106 IN WHICH I REPLATTED LOTS IN BLOCK 1 OF SENECA. DURING THE COURSE OF THAT SURVEY I DETERMINED THAT WHILE MAP NO. 5B-18-16 SHOWS A HIGHWAY ALIGNMENT RUNNING THROUGH SENECA, THERE WAS NO DEEDED RIGHT OF WAY. IN SPEAKING WITH OREGON DEPARTMENT OF TRANSPORTATION, REGION 5 SURVEY TEAM MEMBERS, WE CONCLUDED THAT MAP NO. 5B-18-16 WAS MOST LIKELY AN AS-BUILT MAP AND THAT THERE IS NO CONVEYANCE DIRECTLY ASSOCIATED WITH IT. LIKEWISE, THE SAME OSHD MAP SHOWS HIGHWAY 395 SOUTH CONTINUING SOUTHERLY FROM SENECA, WHICH PLACES THE RIGHT OF WAY ADJACENT TO THE CITY'S PROPERTY THAT IS THE SUBJECT OF THIS LAND PARTITION. DEED RESEARCH ALONG BOTH SIDES OF THE HIGHWAY DID NOT DISCLOSE THAT THE HIGHWAY HAS A DEEDED RIGHT OF WAY IN THE IMMEDIATE VICINITY OF THIS PROJECT. ODOT STAFF DID HOWEVER SUPPLY ME WITH HIGHWAY ROUTE REFERENCES THAT SHOW THE HISTORY OF HIGHWAY 395 THROUGH GRANT AND HARNEY COUNTIES. THE INFORMATION SHOWS THAT THE STATE DESIGNATED THE ROUTE AS A HIGHWAY BY RESOLUTION IN 1939 AND AGAIN IN 1977. NEITHER RESOLUTION DESCRIBES THE ROUTE IN DETAIL, ITS WIDTH NOR REFERENCES MAP NO. 5B-18-16.

THE NARRATIVE ON MAP OF SURVEY NO. 1674 STATES THAT MR. DELANO USED CENTERLINE ALIGNMENT DATA TAKEN FROM THE OSHD MAP AS WELL AS THE SURVEYED LOCATION OF THE CENTERLINE OF THE HIGHWAY TO DETERMINE THE HIGHWAY RIGHT OF WAY COINCIDENT WITH A PORTION OF THE CITY'S BOUNDARY. IN ORDER TO STAY CONSISTENT WITH PREVIOUS SURVEYS AND PHYSICAL EVIDENCE OF THE HIGHWAY, I ACCEPT THE PINS SET DURING SURVEY NO. 1674 AND UTILIZED DURING LAND PARTITION NO. 2003-09.

LAND PARTITION PLAT NO. 2003-09 GRANTED A VARIABLE WIDTH PRIVATE ACCESS EASEMENT THROUGH PARCEL 1 TO THE BENEFIT OF ADJOINING PROPERTIES. THE DECLARATION ON THE PLAT ALSO STATED THAT THE CITY RESERVED THE RIGHT TO DEDICATE SAID EASEMENT AS A PUBLIC STREET IN THE FUTURE. THE DECLARATION AND DEDICATION ON THIS PLAT DEDICATES THE EAST 45 FEET OF THE PREVIOUSLY MENTIONED PRIVATE ACCESS EASEMENT AS A PUBLIC STREET AND EXTINGUISHES THE PORTION OF THE PRIVATE EASEMENT NO LONGER DEEMED NECESSARY TO PROVIDE ACCESS TO ADJOINING PROPERTIES.

EASEMENTS

1. RIGHTS OF THE PUBLIC IN AND TO ANY PORTION OF THE HEREIN DESCRIBED PREMISES LYING WITHIN THE BOUNDARIES OF STREETS, ROADS OR HIGHWAYS.
2. PRIVATE EASEMENT AS SHOWN ON THE PLAT OF LAND PARTITION PLAT NO. 2003-09, FILED IN THE OFFICE OF THE GRANT COUNTY CLERK ON SEPTEMBER 15, 2003, FOR INGRESS AND EGRESS. A PORTION OF THIS EASEMENT IS BEING EXTINGUISHED BY THIS PLAT; THE REMAINING PORTION IS 25 FEET IN WIDTH, AS SHOWN ON THE ANNEXED PLAT.
3. EASEMENTS, RIGHTS OF WAY OR RESERVATIONS AS SAME MAY EXIST OR APPEAR OF RECORD.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Michael C. Springer
OREGON
JULY 9, 2002
MICHAEL C. SPRINGER
#70918
EXPIRES: 6/30/2020

RECEIVED AND FILED
GRANT COUNTY SURVEYOR

APR 12 2019
BY: *[Signature]*

APPROVALS

APPROVED THIS 27 DAY OF MARCH, 2019.

[Signature]
DEPUTY
UNION COUNTY SURVEYOR

APPROVED THIS 1ST DAY OF APRIL, 2019.

[Signature]
CITY OF SENECA

ALL AD VALOREM AND SPECIAL ASSESSMENTS DUE PURSUANT TO LAW HAVE BEEN ASSESSED AND COLLECTED.

[Signature]
GRANT COUNTY ASSESSOR & TAX COLLECTOR
DATE: 04/12/2019

APPROVED THIS 10 DAY OF April, 2019.

GRANT COUNTY JUDGE
[Signature]
GRANT COUNTY COMMISSIONER
[Signature]
GRANT COUNTY COMMISSIONER

I DO HEREBY CERTIFY THAT THIS PLAT WAS RECEIVED ON THE 10th DAY OF April, 2019 AT 9:48 O'CLOCK P.M., AND RECORDED AS LAND PARTITION PLAT NO. 2019-04 GRANT COUNTY RECORDS.

[Signature]
GRANT COUNTY CLERK

I DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

[Signature]
BENCHMARK LAND SURVEYING

REFERENCES

- RECORD MAP OF SURVEY NO'S 779, 1675 & 2106
- OREGON STATE HIGHWAY DEPARTMENT MAP NO. 5B-18-16
- RECORD LAND PARTITION PLAT NO. 2003-09
- DEED RECORD BOOK 132, PAGE 813
- PRELIMINARY TITLE REPORT ORDER NO. 25742

DECLARATION AND DEDICATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE CITY OF SENECA, OREGON, A MUNICIPAL CORPORATION AND A POLITICAL SUBDIVISION OF THE STATE OF OREGON, DOES HEREBY DECLARE THAT SAID CITY IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SAME TO BE PARTITIONED INTO PARCELS IN ACCORDANCE WITH THE PROVISIONS OF ORS CHAPTER 92, AS SHOWN HEREON.

SAID CITY OF SENECA DOES HEREBY DEDICATE TO THE PUBLIC, WITHOUT RESERVATION OR RESTRICTION, PARK AVENUE SOUTH, FOR INGRESS AND EGRESS AS A PUBLIC ROAD. SAID STREET BEING 45 FEET IN WIDTH, AS SHOWN ON THE ANNEXED PLAT.

SAID CITY OF SENECA DOES HEREBY EXTINGUISH THAT PORTION OF THE VARIABLE WIDTH PRIVATE ACCESS EASEMENT CREATED ON LAND PARTITION PLAT NO. 2003-09, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF PARCEL 3 OF THIS LAND PARTITION;
THENCE N.89°38'00"W., 60.00 FEET;
THENCE N.00°22'00"E., 145.50 FEET;
THENCE S.89°38'00"E., 15.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF PARK AVENUE SOUTH;
THENCE N.00°22'00"E., 150.05 FEET, ALONG SAID RIGHT OF WAY LINE, TO THE SOUTH RIGHT OF WAY LINE OF FIRST STREET;
THENCE, ALONG SAID SOUTH RIGHT OF WAY LINE, S.89°38'11"E., 45.00 FEET;
THENCE S.00°22'00"W., 295.55 FEET TO THE POINT OF BEGINNING.

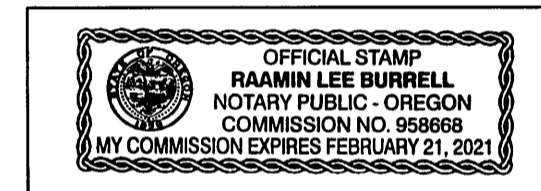
[Signature]
BRAD L. SMITH, MAYOR

ACKNOWLEDGMENT

STATE OF OREGON SS
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON APRIL 1ST, 2019, BY BRAD L. SMITH.

[Signature]
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 02/21/2021



NO ALL PEOPLE BY THESE PRESENTS THAT WE, LAVERN T. STARBUCK AND LINDA S. STARBUCK, HUSBAND AND WIFE, DO HEREBY DECLARE THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN DEED INSTRUMENT NO. 202611, DEED RECORDS OF GRANT COUNTY, OREGON. AS SUCH, WE ARE THE DOMINANT PARTY BENEFITING FROM THAT CERTAIN VARIABLE WIDTH PRIVATE ACCESS EASEMENT CREATED ON SAID LAND PARTITION PLAT NO. 2003-09. WE DO HEREBY CONSENT TO THE EXTINGUISHMENT OF THAT PORTION OF SAID PRIVATE ACCESS EASEMENT DESCRIBED IN THE HEREINABOVE DECLARATION AND DEDICATION.

[Signature]
LAVERN T. STARBUCK

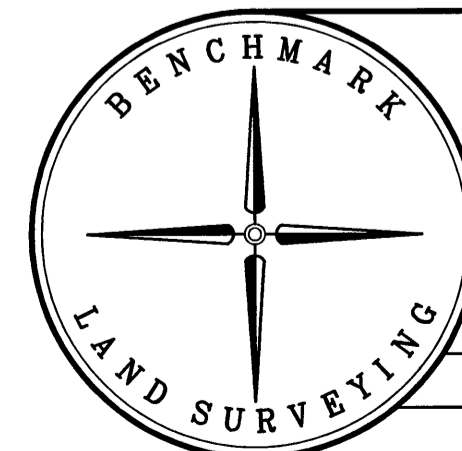
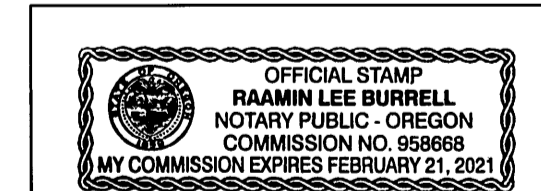
[Signature]
LINDA S. STARBUCK

ACKNOWLEDGMENT

STATE OF OREGON SS
COUNTY OF GRANT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON APRIL 2ND, 2019, BY LAVERN T. STARBUCK AND LINDA S. STARBUCK.

[Signature]
NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES 02/21/2021



BENCHMARK LAND SURVEYING
217 N. CANYON BLVD. JOHN DAY, OREGON
1207 DEWEY AVE., BAKER CITY, OREGON
541-575-1251 ~ 541-523-5852

LAND PARTITION PLAT
A PARTITION OF PARCEL 1 OF LAND PARTITION 2003-09
SITUATED IN THE NW1/4 SECTION 2, T.17S., R.31E., W.M.,
CITY OF SENECA, GRANT COUNTY, OREGON

SURVEYED FOR	THE CITY OF SENECA	
SURVEYED BY	MCS & JBS	3/21/2019
Drawn by: MCS		SHEET 2 OF 2