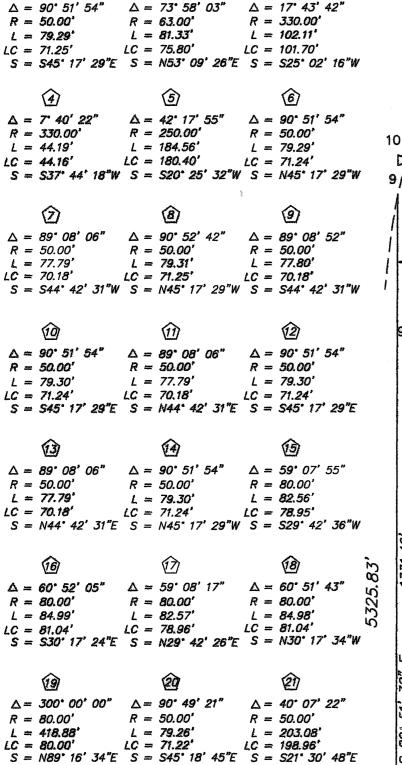


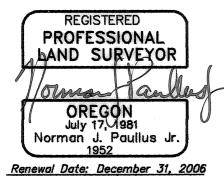
2

(3)

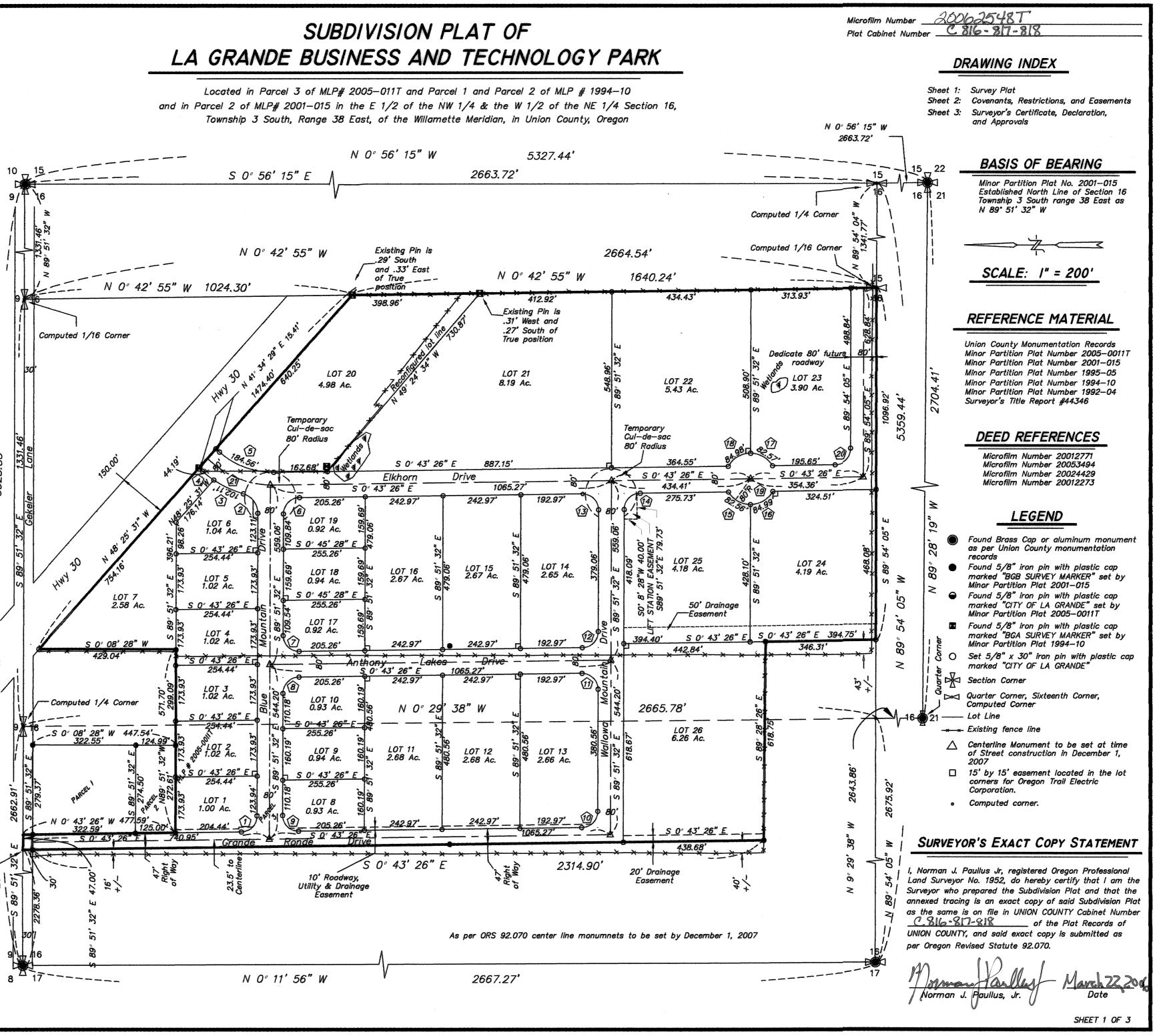


NARRATIVE

This subdivision was done at the request of the City of La Grande, Urban Renewal Agency, The Blue Mountain Humane Association and the Union County Economic Development Corporation for the purpose of creating an Industrial Park. The property was Ż originally included in the MLP's 2005–0011T, MLP 1994–10 and MLP 1992–04. The property was 2 surveyed using these Partitions to determine the boundaries of this property so the property can be divided as shown. Fences were not representative of the deeded lines. This project is large enough that financing does not allow all of the roadways to be constructed so two temporary cul-de-sacs are shown of at the east terminus of Blue Mountain Drive and Wallowa Mountain Drive. Phase I consists of Grande 2 Ronde Drive (Gekeler Lane to Blue Mountain Drive), Anthony Lakes Drive, Blue Mountain Drive, and Wallowa Mountain Drive from Anthony Lakes Drive to Elkhorn Drive. At the time that Elkhorn Drive is constructed the temporary cul-de-sacs are to be removed. Lot 20 will remain in Blue Mountain Humane Assoc. ownership but needed to be reconfigured for the purpose of Elkhorn Lane to intersect Highway 30 at a 90 degree angle. This property is currently owned by the Blue Mountain Humane Association and will be the only lot retained in their ownership. Lots 1,2,3,4,8,9,10, and 11 will be owned by the City of La Grande. The remaining lots will be owned by Union County Economic Development Corporation existing monuments found are shown and the property was œ divided as shown. No other problems were encountered. Q



0



SUBDIVISION PLAT OF LA GRANDE BUSINESS AND TECHNOLOGY PARK

Located in Parcel 3 of MLP# 2005-011T and Parcel 1 and Parcel 2 of MLP # 1994-10 and in Parcel 2 of MLP of 2001-015 in the E 1/2 of the NW 1/4 & the W 1/2 of the NE 1/4 Section 16, Township 3 South. Range 38 East, of the Willamette Meridian, in Union County, Oregon

LOTS 1-10 AND 17-19 **A**.

- 1. Buildings:
 - a. The front of all buildings must face the street.
 - b. The front of all buildings must be complimented with concrete or brick masonry, stone or other material approved by the Owners Association.
 - c. At least 25% of the wall area fronting on a street should be occupied with windows, alcoves, canopies, cornices cupolas or similar architectural features.

2. Landscaping:

- a. All grass, trees, shrubs and other vegetation shall be kept watered in dry weather and in good appearance at all times. All grass shall be cut as necessary to maintain an attractive maintain an attractive appearance. This includes the Right of Way, area between the curb and the sidewalk.
- b. Wherever trees are required, the following minimum standards shall apply.
- 1. Evergreen trees shall be a minimum of five (5') feet in height at time of planting. 2. Deciduous trees shall be a minimum of ten (10') feet of height at time of planting
- c. All open areas not used for parking, driveways, or storage shall be landscaped with trees, shrubs, berms and planting covers.
- 3. Others:
 - a. All material or products stored outside shall be screened from view from the street and the neighboring properties with solid fence or landscape hedae.
 - b. Underdeveloped areas proposed for future expansion shall be maintained in a manaaed condition, not conducive to weeds, fire, dust or safety hazards.
- 4. Signs:
 - a. No billboard or rooftop signs shall be allowed.
 - b. Wall signs shall be fixture signs; signs painted directly on the surface of the wall shall not
- 5. Uses Permitted Corresponding to Section 2.2.014 (B), Permitted Uses, of the City of La Grande Land Development Code: 1, 4, 5, 7, 8, 12, 14, 15.

Lots 11-16 AND 21-26 **B**.

- 1. Buildings:
- a. The front of all buildings must face the street.
- b. At the discretion of the Owners Association, the front of all buildings must be complimented with concrete or brick masonry, stone or other material approved by the Owners Association.
- c. At the discretion of the Owners Association, at least 25% of the wall area fronting on a street should be occupied with windows, alcoves, canopies, cornices cupolas or similar architectural features
- 2. Landscapina:
 - a. All grass, trees, shrubs and other vegetation shall be kept watered in dry weather and in good appearance at all times. All grass shall be cut as necessary to maintain an attractive appearance. This includes the Right of Way, area between the curb and the sidewalk.
 - b. Wherever trees are required, the following minimum standards shall apply. 1. Everareen trees shall be a minimum of five (5') feet in height at time of planting.
- 2. Deciduous trees shall be a minimum of ten (10') feet of height at time of planting. c. All open areas not used for parking, driveways, or storage shall be landscaped with trees.
- shrubs, berms and planting covers.

3. Others:

- a. All material or products stored outside shall be screened from view from the street and the neighboring properties with solid fence or landscape hedge.
- b. Underdeveloped areas proposed for future expansion shall be maintained in a managed condition, not conducive to weeds, fire, dust or safety hazards.
- 4. Signs:
 - a. No billboard or rooftop signs shall be allowed.

b. Wall signs shall be fixture signs; signs painted directly on the surface of the wall shall not

OWNERS ASSOCIATION (LOT 20 EXCLUDED) С.

- 1. There is hereby established the Owners Association for the La Grande Business and Technology Park. Each tax lot less than one (1) acre shall be entitled to one (1) vote in the Association. Each tax lot with two (2) acres or larger shall receive one (1) vote per full acre. No tax lot shall receive more than four (4) votes in the La grande Business and Technology Park.
- 2. The Association may establish its own by-laws for the conduct of its affairs, which shall include reasonable notice to each member prior to any meeting. Recommendations of the Association shall be by majority of votes cast at any meeting.
- 3. For the mutual benefit of the owners, the Owners Association shall have duties that include but not limited to:
- a. Take such action to enforce these restrictive covenants.
 - 1. Maintain and manage all common property, if any.
 - 2. Establishment and assessment of annual dues.
 - 3. Any business activity as deemed necessary by the Owners Association. 4. Review and approval of development plans prior to construction.
- b. Modification of Covenants
- c. This declaration, or any provision hereof, or any covenant, condition, or restriction contained herein, may be modified or amended as to the whole property, with the written consent of the owners of sixty-five (65%) per cent of the total, provided no modification or amendment shall be effective without written approval of the Union County Economic Development Corp. (UCEDC) and the City of La Grande so as long the UCEDC and the City of La Grande hold at least one vote.
- 4. Lot 20 is excluded from any and all of La Grande Business and Technology Park covenants.

PROPERTY COVENANTS, RESTRICTIONS, AND EASEMENTS

EXISTING EASEMENTS

TRACT "A" - LA GRANDE URBAN RENEWAL AGENCY, which took title as URBAN RENEWAL AGENCY, a municipal corporation of the City of La Grande

- 1. AS DISCLOSED by Union County assessment records, the premises hererin described have been disqualified for special assessment for farm use and are subject to a potential additional tax liability, collectable only if the land is further disqualified for non-farm use as provided in ORS 308A.706.
- 2. Easement, including the terms and provisions thereof: Irrigation Ditch For: Recorded: January 6, 1879
- Book:
- Page: Tracts "A", "B", & "C" Affects:

- 3. Perpetual Easement, including the terms and provisions thereof: Ingress and egress For: Granted to: K.L. Ranches. Inc. February 4, 1987 Recorded:
 - Document No.: 121520
- Over and across the West 30 feet Affects: 4. Fasement for ingress and earess over and across the west 20 feet of this property, as reserved by deed:

By:	Alan Leo Waite
Dated:	May 25, 2000
Recorded:	December 22, 2000

- Document No.: 20005527 5. Easements 4 feet in width for all irrigation ditches flowing east from the existing irrigation ditch
- plat map of Partition Plat 2001–015. (Affects Tracts "A" & "B") 6. Easement for ingress, egress, and utilities, across the west 47 feet of Parcel 3 of Partition Plat
- created by and shown on the plat map of Partition Plat 2005-0011T.
- 7. Easement for ingress and egress across that portion of Parcel 3 of Partition Plat 2005-0011T that extends south of the south line of Parcel 2 of Partition Plat 2005-0011T, as created and shown on the plat map of Partition Plat 2005-0011T. 8. Rights of the public in Gekeler Lane, across the north 30 feet of Parcel 3 of Partition Plat
- 2005-0011T. 9. Encroachment of a fence line onto the east side of this property, as revealed on minor Partition
- Plat 2001-015. (Affects Tracts "A" & "B")
- 10. Encroachment of a fence line outside of the west line of this property, as revealed on minor Partition Plat 2001-015. (Affects Tracts "A" & "B")
- TRACT "B" UNION COUNTY ECONOMIC DEVELOPMENT CORPORATION, an Oregon non-profit corporation 11. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to
- additional taxes or penalties and interest. 12. No search has been made for financing statements or agricultural services liens which are filed with the Secretary of State, and any matters which would be disclosed thereby are expressly
- excluded from coverage herein. 13. Easement, including the terms and provisions thereof: Irrigation Ditch For: January 6, 1879 Recorded:
 - Book:
 - Page: Tracts "A", "B", & "C"
- Affects: 14. Easements 4 feet in width for all irrigation ditches flowing east from the existing irrigation ditch along the east side of Parcels 1 & 2 of Partition Plat 2001-015, as created and disclosed on the plat map of Partition Plat 2001–015. (Affects Tracts "A" & "B")
- 15. Encroachment of a fence line onto the east side of this property, as revealed on minor Partition
- Plat 2001–015. (Affects Tracts "A" & "B") Encroachment of a fence line outside of the west line of this property, as revealed on minor
- Partition Plat 2001-015. (Affects Tracts "A" & "B")
- TRACT "C" UNION COUNTY ECONOMIC DEVELOPMENT CORPORATION, an Oregon non-profit corporation 17. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disgualified for such use, the property may be subject to
- additional taxes or penalties and interest. 18. No search has been made for financing statements or agricultural services liens which are filed with the Secretary of State, and any matters which would be disclosed thereby are expressly
- excluded from coverage herein. 19. Easement, including the terms and provisions thereof:
- Eastern Oregon Light and Power Company, a corporation Granted to: December 10, 1927 Recorded:
 - Book:
 - Page: Affects:
- Tracts "C" & "D" 20. Terms, provisions, conditions and obligations contained in deed to the State of Oregon by and through its State Highway Commission, dated October 30, 1951, recorded in book 127 at page 13 of the deed records of Union county, Oregon. Said deed, after conveying a strip of land for the relocated Old Oregon Trail Highway across the northwest quarter of the northeast quarter of Section 16, Township 3 South, Range 38 east of the Willamette Meridian, relinquishes all easements of access to said highway except at specified points within said sectional subdivision, as therein set forth and provided. (Affects Tracts "C" & "D")

21.	Easement,	including the terms and provisions thereof:
	For:	Irrigation Ditch
	Recorded:	January 6, 1879
	Book:	D
	Page:	24
	Affects:	Tracts "A", "B", & "C"

- along the east side of Parcels 1 & 2 of Partition Plat 2001-015, as created and disclosed on the
- 2005-0011T. adjacent to the west lines of Parcels 1 and 2 of said Partition Plat 2005-0011T. as

- 22. Easement for ingress and egress as created and disclosed on the plat map of Partition Plat 1994–010. (Affects Tracts "C" & "D")
- 23. Easement for ditch as created and disclosed on the plat map of Partition Plat 1994-010. (Affects Tracts "C" & "D") 24. The existing north-south fence line is 12 feet east of the property line and west of the existing

Plat Cabinet Number

C 816-817-818

- north-south ditch, as disclosed on the plat map of Partition Plat 1994-010. (Affects Tracts "C" & "D")
- TRACT "D" BLUE MOUNTAIN HUMANE ASSOCIATION, a non-profit, tax exempt Corporation registered in the State of Oreaon
- 25. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.
- 26. No search has been made for financing statements or agricultural services liens which are filed with the Secretary of State, and any matters which would be disclosed thereby are expressly excluded from coverage herein.
- 27. Easement, including the terms and provisions thereof:
- Eastern Oregon Light and Power Company, a corporation Granted to: December 10, 1927 Recorded:
 - Book:
- Page: Tracts "C" & "D" Affects:
- Terms, provisions, conditions and obligations contained in deed to the State of Oreaon by and 28 through its State Highway Commission, dated October 30, 1951, recorded in book 127 at page 13 of the deed records of Union county, Oregon. Said deed, after conveying a strip of land for the relocated Old Oregon Trail Highway across the northwest guarter of the northeast guarter of Section 16, Township 3 South, Range 38 east of the Willamette Meridian, relinquishes all easements of access to said highway except at specified points within said sectional subdivision, as therein set forth and provided. (Affects Tracts "C" & "D")
- Easement for ingress and egress as created and disclosed on the plat map of Partition Plat 1994–010. (Affects Tracts "C" & "D")
- 30. Easement for ditch as created and disclosed on the plat map of Partition Plat 1994-010. (Affects Tracts "C" & "D")
- The existing north-south fence line is 12 feet east of the property line and west of the existing north-south ditch, as disclosed on the plat map of Partition Plat 1994-010. (Affects Tracts "C" & "D")
- 32. Protective Covenants and Restrictions, including the terms and conditions thereof, as disclosed in deed:
- From: Martha A. Smutz, as trustee of the Martha A. Smutz Trust, under agreement dated April 26, 1993 Blue Mountain Humane Association, a non-profit, tax exempt corporation To: registered in the State of Oregon. June 17, 1999 Dated: June 22, 1999 Recorded: Document No.: 993300 Reversionary rights included in deed: 33 Martha A. Smutz, as trustee of the Martha A. Smutz Trust, under agreement From: dated April 26, 1993 Blue Mountain Humane Association, a non-profit, tax exempt corporation To: registered in the State of Oregon. June 17, 1999 Dated:
 - June 22, 1999 Recorded: To-Wit:
 - "DEEDED PROPERTY USE shall be limited to animal welfare and related operations, wildlife habitat, open and park-like settings, or agriculture ownership of the deeded property shall revert back to the GRANTOR, Grantor's survivors or estate."

SURVEYOR'S EXACT COPY STATEMENT

I. Norman J. Paullus Jr., registered Oregon Professional Land Surveyor No. 1952, do hereby certify that I am the Surveyor who prepared the Subdivision Plat and that the annexed tracing is an exact copy of said Subdivision Plat as the same is on file in UNION COUNTY Cabinet Number C. 816-817-818 of the Plat Records of UNION COUNTY, and said exact copy is submitted as per Oregon Revised Statute 92.070.

10man an lost Norman J. Paullus, Jr.

REGISTERED PROFESSIONAL MAND SURVEYOR Fan OREGON July 17, 1981 NORMAN J. PAULLUS JR 1952 Renewal Date: December 31, 2006

SHEET 2 OF 3

SHEET 3 OF 3

.A GR

Locate and in Parcel 2 Townsł

SURVEYOR'S CERTIFICATE

I, Norman J. Paullus Jr., Oregon Professional Land Surveyor Number 1952, being duly sworn, depose and say that I have surveyed and platted the Subdivision as shown herein. Said Subdivision situate in the East half of the Northwest quarter and in the West half of the Northeast quarter of Section 16, Township 3 South, Range 38 East, of the Willamette Meridian, Union County, Oregon, and being more particularly described as follows:

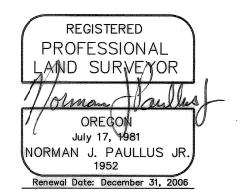
Beginning at a point being S 89° 51' 32" E a distance of 2278.36 feet from the Northwest corner of Section 16 to a point established by MLP#2005-0011T, said point being the True Point of Beginning:

Thence;	S 0° 43' 26" E a distance of 2314.90 feet to a 5/8" rebar;
Thence;	S 89° 28' 26" E a distance of 618.75 feet to a 5/8" rebar;
Thence;	S 0° 43' 26" E a distance of 346.31 feet to the center section line;
Thence;	S 89° 54' 05" E a distance of 1096.92 feet to a 16th corner;
Thence;	N 0° 42' 55" W a distance of 1640.24 feet to a 5/8" rebar located on US 30 south Right of Way line;
Thence;	N 48° 25' 31" W along said Right of Way a distance of 1474.40 feet to a 5/8" rebar;
Thence;	S 0° 08' 28" W a distance of 429.04 feet to a 5/8" rebar;
Thence;	N 89° 51' 32" W a distance of 571.70 feet to a 5/8" rebar;
Thence;	N 0° 43' 26" W a distance of 477.59 feet to a computed point;
Thence;	N 89° 51' 32" W a distance of 47.00 feet to the True Point Beginning.

Said parcel containing 80.28 acres.

I certify that I have made said survey and plat by order of and under the direction of the owners thereof; that the size of all lots and the widths of all streets and easements are as shown on the annexed plat; and that all lot corners and boundary corners are marked with iron pins as indicated on the annexed plat in accordance with O.R.S. 92.050 and 92.060.

Ornan / Norman J. Paullus, Jr. March 22, 2006



SURVEYOR'S EXACT COPY STATEMENT

I, Norman J. Paullus Junior, registered Oregon Professional Land Surveyor Number 1952, do hereby certify that I am the Surveyor who prepared the Subdivision Plat and that the annexed tracing is an exact copy of said Subdivision Plat as the same is on file in UNION COUNTY Cabinet Number exact copy is submitted as per Oregon Revised Statute 92.070.

Norman J. Paullus, Jr

March ZZ, ZOOG Date

SUBDIVISION PLAT OF PANDE BUSINESS AND TECHNOLOGY PARK	Microfilm Number <u>200625487</u> Plat Cabinet Number <u>C 816-817-818</u>
ed in Parcel 3 of MLP# 2005–011T and Parcel 1 and Parcel 2 of MLP # 1994–10 ? of MLP# 2001–015 in the E 1/2 of the NW 1/4 & the W 1/2 of the NE 1/4 Section 16, hip 3 South, Range 38 East, of the Willamette Meridian, in Union County, Oregon	
DECLARATION	ACKNOWLEDGMENT
Know all people by these presents that, The CITY OF LA GRANDE Urban Renewal Agency, is the owner of the land within this subdivision, being more particularly described in the accompanying Surveyor's Certificate, and has caused the same to be surveyed and platted as shown on the annexed plat, all roads and easements dedicated as shown, and do create the covenants as addressed by this plat on page 2, all in accordance with the provisions of O.R.S. Chapter 92.	State of Oregon County of Union State Seal Know all people by these presents, on this day of bound 2006, before me a Notary Public in and for said County and State, personally appeared the President/Vice President and Treasurer of the Blue Mountain Humane Association, known to me to be the identical people named in the foregoing instrument, and that said instrument was executed freely and voluntarily.
<u>CITY OF LA GRANDE URBAN RENEWAL AGENCY</u> Mayor Mayor <u>Agency Member Richmond abstained</u> <u>Souncillor Agency Member</u> . <u>Councillor Agency Member</u> .	Billie Job isthman Notary Public for the State of Oregon
Councilor Agency Member	APPROVALS
Councilor Agency Member	CITY OF LA GRANDE PLANNER
Know all people by these presents that, The UNION COUNTY ECONOMIC DEVE— OPMENT CORP., is the owner of the land within this subdivision, being more particularly described in the accompanying Surveyor's Certificate, and has caused	Approved this <u>IG</u> th day of <u>Manch</u> , 2006. <u>Michael J. Boquist</u>
the same to be surveyed and platted as shown on the annexed plat, all roads and easements dedicated as shown, and do create the covenants as addressed by this plat on page 2, all in accordance with the provisions of O.R.S. Chapter 92. President Union County Econ. Dev. Corp.	City Planner <u>LA GRANDE CITY COUNCIL</u> Approved this <u>8</u> day of <u>March</u> , 2006. <u>Alter</u> <u>Abstained</u> <u>Councilor Richmond Abstained</u> <u>Councilor Richmond Abstained</u> <u>Councilor Richmond Abstained</u> <u>Councilor Richmond Abstained</u> <u>Councilor Richmond Abstained</u>
Know all people by these presents that, BLUE MOUNTAIN HUMANE ASSOCIATION, is the owner of the land within this subdivision, being more particularly des- cribed in the accompanying Surveyor's Certificate, and has caused the same to be surveyed and platted as shown on the annexed plat, all in accordance with the provisions of O.R.S. Chapter 92. Chemater Desident President // Vice President Blue Mountain Humane Association	<u>Councilor</u> <u>Jol Boynt</u> <u>Councilor</u> <u>UNION COUNTY SURVEYOR</u> Approved this <u>6Th</u> day of <u>Febrach</u> , 2006. by <u>Hum T. Man</u> <u>County Surveyor</u>
ACKNOWLEDGMENT	UNION COUNTY ASSESSOR / TAX COLLECTOR
State of Oregon County of Union State Seal Know all people by these presents, on this <u>Sth</u> day of <u>MMCN</u> , 2006, before me a Notary Public in and for said County and State, personally appeared La Grande City Council, known to me to be the identical people named in the foregoing instrument, and that said instrument was executed freely and voluntarily.	I hereby certify that pursuant to O.R.S. 92.095, all ad valorem taxes and all special assessments, fees and other charges required by law to be placed upon the 2005–2006 tax roll which became a lien on the land within this partition, or will become a lien during the tax year but not certified to the tax collector for collection have been paid. by <u>CULUMUM CULF</u> For the <u>5/3005</u> Linda L. Hill, Union County Assessor/Tax Collector
Interv Public for he State of Oregon Worker V Contract State of Oregon	FILING STATEMENT
State of Oregon County of Union State Seal	UNION COUNTY CLERK State of Oregon
Know all people by these presents, on this <u>I</u> day of <u>Fabruary</u> , 2006, before me a Notary Public in and for said County and State, personally appeared the President of the Union County Economic Development Corp., known to me to be the identical person named in the foregoing instrument, and that said instrument was executed freely and voluntarily.	State of Oregon County of Union State Seal I do hereby certify that the attached subdivision plat was received for record on the <u>30th</u> day of <u>11.44</u> , 2006, at <u>11.48</u> o'clock <u>14</u> M., and recorded in Plat Cabinet Number <u>C816-817-818</u> Union County Court Records, Microfilm Number <u>200625481</u>
Sillie Jo Busthwann lotary Public for he State of Oregon WY COMMISSION EXPIRES MAY 2, 2008	R. Nellie Bogue Hibbert, Union County Clerk by <u>K</u> , <u>Murch</u> , <u>deput</u> y SHEET 3 OF 3