

**CITY OF JOHN DAY  
APPLICATION FOR LAND PARTITION**

Applicant Lisa Mendez Phone (775) 397-5600

Address 311 NE 7th Street City John Day State OR Zip 97845

Property Owner Frances Holmstrom Phone \_\_\_\_\_

Address (same) City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

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Property Location Address 311 NE 7th Street Tax Lot Map: 13S31E Tax Lot 200

Zoning RG Present Parcel Size 3400 acres Number of Proposed Parcels 4

Proposed Parcel Size: Parcel 1 1.7 acres Parcel 2 1.0 acre Parcel 3 1.0 acre Parcel 4 = 1.0 acre

Present Use Ranch / Undeveloped Residential

Proposed Use Ranch / Developed Residential

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**As part of your land use request, you must submit the following information:**

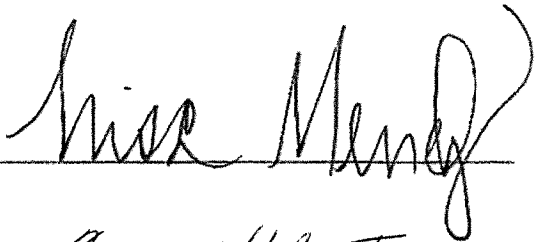

The Property Deed.

Names and addresses of adjoining landowners.

A map showing the following information.

- 1) Applicants name;
- 2) Legal description of property, and tax lot number;
- 3) North arrow and scale;
- 4) Proposed division line(s) and proposed area of each parcel;
- 5) Location of adjacent streets, and any proposed access indicating if it is proposed to be private or public access;
- 6) Location of existing domestic water and sewer lines;
- 7) Location of creeks, streams, ponds, springs or other drainage ways;

I agree to abide by the requirements of the ordinances adopted by the City of John Day as they apply to this request. I agree to provide any supplemental materials or information that may be necessary or requested by the City Planning Department, which may be required to process this application

Applicant's Signature  Date 08/01/2021  
Owner's Signature (if different)  Date 8/01/2021

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FOR OFFICIAL USE ONLY

Application received by Nicholas Green Date 08/01/2021

Application fee of \_\_\_\_\_ received Date Waived per development agreement

**THIS APPLICATION IS**

Approved \_\_\_\_\_ Not Approved \_\_\_\_\_ Requires Additional Information Type III Review by PC

  
City of John Day Planning Director

08/11/2021  
Date

STATUTORY WARRANTY DEED

DONA K. HOLMSTROM, GRANTOR, convey and warrant to DAVID L. AND FRANCES M. HOLMSTROM, HUSBAND AND WIFE, GRANTEES, the following described real property, free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A, WHICH IS ATTACHED HERETO  
AND INCORPORATED HEREBY BY THIS REFERENCE

Subject to and excepting:

SEE EXHIBIT B, WHICH IS ATTACHED HERETO  
AND INCORPORATED HEREBY BY THIS REFERENCE

The true consideration for this conveyance is SIX HUNDRED THOUSAND DOLLARS AND NO CENTS (\$600,000.00), and other property or value given which constitutes the whole consideration.

Dated this 22 day of October, 2001

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dona K. Holmstrom  
DONA K. HOLMSTROM

STATE OF OREGON            )  
  ) ss  
County of Grant            )

This instrument was acknowledged before me by DONA K. HOLMSTROM on the date first set forth above.

Tami A. Kowling  
Notary Public for Oregon  
My Commission Expires: 11/20/03



STATUTORY WARRANTY DEED

Dona K. Holmstrom  
Grantors

David L. and Frances M. Holmstrom,  
Husband and Wife  
Grantees

After recording return to:

George H. Guyer, PC  
Attorney at Law  
The Lake Grove Building  
16325 Boones Ferry Road, Suite 205  
Lake Oswego, Oregon 97035

Until a change is requested, all tax statements shall be sent to the following address:

David L. and Frances M. Holmstrom  
311 N.E. 7<sup>th</sup> Street  
John Day, Oregon 97845



SPACE RESERVE

FOR

RECORDER'S USE

INST 02719 REF #            FEE 98.50  
FILED October 24 2001  
RECORD OF Deed TIME 2:00 M PGS 16  
KATHY MCKINNON BY             
COUNTY CLERK DEPUTY

16254

EXHIBIT A  
LEGAL DESCRIPTION

Land in Grant County, Oregon, as follows:

In Township 13 South, Range 31 East of the Willamette Meridian, Grant County, Oregon:

- Section 2: Lots 1, 2, 3, 4, the South half of the North half, and the South half.
- Section 10: The Southeast quarter.
- Section 11: The entire section.
- Section 13: The South half.
- Section 14: The entire section.
- Section 15: Beginning at a point on the North line, 33.0 feet East of the North quarter corner of said Section 15;  
Thence South  $20^{\circ} 00'$  East 165.0 feet;  
Thence South  $34^{\circ} 00'$  East 1056.0 feet;  
Thence South  $46^{\circ} 30'$  West 495.0 feet;  
Thence South  $17^{\circ} 00'$  East 528.0 feet;  
Thence South  $72^{\circ} 45'$  East 792.0 feet;  
Thence South  $3^{\circ} 00'$  East 825.0 feet;  
Thence South  $36^{\circ} 00'$  West 495.0 feet;  
Thence South  $5^{\circ} 45'$  West 429.0 feet;  
Thence South  $36^{\circ} 30'$  East 462.0 feet;  
Thence South  $52^{\circ} 00'$  East 429.0 feet;  
Thence South 883.74 feet, more or less, to the South line of said Section 15;  
Thence East 1085.7 feet, more or less, to the Southeast corner of said Section 15;  
Thence North 5280.0 feet, more or less, to the Northeast corner of said Section 15;  
Thence West 2607.0 feet to the PLACE OF BEGINNING.
- Section 23: Beginning at a point on the West section line of said Section 23:  
Said point being 311.0 feet North of the West quarter corner of said Section 23;  
Said point also being the Northwest corner of the Organ tract conveyed by Deed recorded August 7, 1970 in Book 104, Page 92, Deed Records of Grant County, Oregon:  
Thence East 120.0 feet, more or less, to the center line of the old John Day-Long Creek County Road;  
Thence along the center line of said County Road, as follows:  
South  $50^{\circ} 00'$  East 62.0 feet;  
South  $58^{\circ} 00'$  East 66.5 feet;  
South  $48^{\circ} 00'$  East 29.0 feet;  
South  $33^{\circ} 10'$  East 179.2 feet; to a point on the West line of Charolais Heights Subdivision:  
Thence along the Westerly and Northerly boundary of Lots 1 - 5 of said Charolais Heights Subdivision, as follows:  
North  $9^{\circ} 04'$  East 165.89 feet;

North 65° 28' East 408.55 feet;  
South 85° 03' East to the Southwest corner of Lot 1, Block 1, Panorama Terrace Addition;  
Thence North along the West line of said Lot 1, 176.00 feet to the Northwest corner thereof;  
Thence South 85° 03' East 653.04 feet along the Northerly boundary of lots 1 - 6 of said Block 1 of Panorama Terrace Addition to the Northeast corner of Lot 6;  
Thence South, along the East boundary of said Lot 6, 151.00 feet to a point on the North boundary of Northwest Charolais Drive;  
Thence South 85° 03' East 218.96 feet to the Northeast corner of said Charolais Heights Subdivision;  
Thence South 75.04 feet to the Northeast corner of Lot 18 in said Charolais Heights Subdivision;  
Thence North 86° 38' East 118.35 feet;  
Thence North 84° 02' 49" East 351.90 feet;  
Thence South 201.06 feet to the North line of the property conveyed to Grant Administrative School District No.3 by Deed recorded November 2, 1979 in Book 122, Page 41, Deed Records of Grant County, Oregon;  
Thence North 88° 35' 00" East to the Northeast corner of said School property;  
Thence South 1503.91 feet;  
Thence South 82° 45' 00" West 203.84 feet;  
Thence 182.45 feet along the arc of a 320.00 foot radius curve right, (the long chord which bears North 80° 55' 00" West 179.98 feet);  
Thence South 25° 25' West 150.0 feet;  
Thence North 64° 35' West 924.2 feet;  
Thence South 1° 23' East 104.2 feet;  
Thence South 41° 13' East 108.6 feet to the South line of the Northeast quarter of the Southwest quarter of said Section 23;  
Said point being 269.4 feet West of the Southeast corner of said Northeast quarter of the Southwest quarter;  
Thence East, along said South line, 29.6 feet;  
Thence South 44° 09' East 176.6 feet;  
Thence South 64° 14' East 128.8 feet to the East line of the Southeast quarter of the Southwest quarter of said Section 23;  
Said point being 182.7 feet South 0° 15' West of the Northeast corner of the Southeast quarter of the Southwest quarter of said Section 23;  
Thence South 0° 15' West, along said East line, to a point that is North 0° 15' East 313.8 feet from the Northeast corner of the Southeast quarter of the Southeast quarter of the Southwest quarter of said Section 23;  
Thence South 47° 44' East 199.3 feet;  
Thence South 35° 25' East 143.3 feet;  
Thence South 49° 04' East 207.9 feet;  
Thence South 56° 57' East 139.1 feet;  
Thence South 16° 14' West 39.5 feet;  
Thence South 44° 47' West 185.0 feet;  
Thence South 74° 46' West 176.5 feet, more or less, to the East line of NE Elm Street;  
Thence South 1° 08' West, along said East line, to the Northwest corner of the Burrl tract described in Deed recorded October 4, 1967, in Book 97, page 512, Deed Records of Grant County, Oregon;

Thence East 100.0 feet;  
Thence South 0° 25' West 100.0 feet to the Northeast corner of Boyce Addition;  
Thence South 1° 08' West, along the Easterly line of said Boyce Addition, 172.0 feet, more or less, to the South section Line of said Section 23;  
Thence East, along said South section line, to the Southeast corner of said Section 23;  
Thence North, along the East section line of said Section 23, to the Northeast corner of said Section 23;  
Thence West, along the North section line of said Section 23, to the Northwest corner of said Section 23;  
Thence South, along the West section line of said Section 23, to the PLACE OF BEGINNING;

SAVE & EXCEPT that portion of the Northwest quarter of the Southeast quarter described as follows:

Beginning at a point that is South 74° 59' West 1703.83 feet from the East quarter corner of said Section 23;  
Thence North 36.59 feet;  
Thence West 100.00 feet;  
Thence South 100.00 feet;  
Thence East 100.00 feet;  
Thence North 63.41 feet to the PLACE OF BEGINNING, and known as Well No.3 of the City of John Day.

ALSO SAVE & EXCEPT:

A parcel of land in the West half of the Southeast quarter, described as follows:

Beginning at the Northeast corner of Lot 10, Block "C", of the Trowbridge Subdivision of Grant County, Oregon;  
Said point being 1673.7 feet North and 234.9 feet West of the South quarter corner of said Section 23;  
Thence South 64° 35' East 1000.00 feet to the TRUE POINT OF BEGINNING;  
Thence South 25° 25' West 150.00 feet;  
Thence South 64° 35' East 100.00 feet;  
Thence North 25° 25' East to a point on the South line of the School District No. 3 property as described in Deed dated October 25, 1979, recorded November 2, 1979 in Book 122, Page 41, Deeds;  
Thence Northwesterly, along said South line, to the TRUE POINT OF BEGINNING.

ALSO SAVE & EXCEPT:

A tract of land situated in the Southeast quarter of the Northwest quarter described as follows:

Beginning at a point which is 493.67 feet North and 1955.44 feet East of the West quarter corner of said Section 23;  
Thence North 250.00 feet;

Thence East 250.00 feet;

Thence South 250.00 feet;

Thence West 250.00 feet to the POINT OF BEGINNING.

ALSO, SAVE & EXCEPT that portion within the John Day-Long Creek County Road right of way.

ALSO SAVE & EXCEPT that portion conveyed to the City of John Day by Deed recorded March 22, 1988, in Book 136, page 525, more particularly described as follows:

A tract of land in the North half of said Section 23 described as follows:

Beginning at the Northeast corner of Lot 18 Charolais Heights Addition to the City of John Day;

Thence North  $86^{\circ} 38'$  East along the North Line of the Alfred Meyers lot, 118.35 feet to the Northeast corner of said Meyers lot;

Thence North 75.25 feet;

Thence South  $86^{\circ} 32' 00''$  West 118.36 feet to the Northeast corner of said Charolais Heights Addition;

Thence South, along the East line of said Addition and the East end of Charolais Drive, 75.04 feet to the POINT OF BEGINNING.

ALSO SAVE & EXCEPT that parcel conveyed to David L. Holmstrom, et. ux., by Deed recorded January 13, 1989 in Book 138, page 185, described as follows:

A tract of land in the South half of the North half of said Section 23, described as follows:

Beginning at the Northeast corner of Lot 18 of Charolais Heights Subdivision;

Thence North  $86^{\circ} 38'$  East 118.35 feet;

Thence North  $84^{\circ} 02' 49''$  East 351.9 feet to the Northeast corner of that certain tract described in Book 104, page 11, Deed Records of Grant County, Oregon, and THE TRUE POINT OF BEGINNING;

Thence North  $84^{\circ} 02' 49''$  East, 217.56 feet to a  $5/8'' \times 30''$  iron pin on the Southerly side of the City's 30 foot water line easement, as said pin was set in Survey No. 166, shown on Map of Survey No. 166, filed in the Office of the Grant County Surveyor;

Thence South 218.27 feet to the Northerly line of a certain City Road Easement, recorded in Book 90, page 608, Deed Records of Grant County, Oregon;

Thence South  $88^{\circ} 35'$  West along the Northerly line of said Easement, 216.45 feet to the Southeast corner of that certain tract of land described in Book 104, page 11, Deed Records of Grant County, Oregon;

Thence North, along the East Line of said tract, 201.06 feet to the TRUE POINT OF BEGINNING;

ALSO SAVE & EXCEPT that parcel conveyed to Marty J. Holmstrom, et. ux., by deed recorded May 12, 1989, in Book 138, page 796, as follows:

A tract of land situated in the Southwest quarter of the Southeast quarter of said Section 23, described as follows:

Beginning at the Northeast corner of Lot 10, Block "C" of the Trowbridge Subdivision of Grant County, Oregon;

Thence South  $64^{\circ} 35'$  East 1000.00 feet;

Thence 101.70 feet along the arc of a 320.0 foot radius curve left, (the long chord of which bears South 73° 41' 18" East, 101.28 feet) to THE TRUE POINT OF BEGINNING;

Said point being the Northeast corner of the John E. Holmstrom Jr. tract;

Thence South 25° 25' West, along the Easterly line of said John E. Holmstrom Jr. tract, 166.03 feet to the Southeast corner of said tract;

Thence North 75° 51' 27" East, 215.80 feet;

Thence North 7° 15' West, 100.00 feet, to the South line of the School District No.3 tract, as described in Book 122, Page 41, Deed Records of Grant County, Oregon;

Thence Westerly, along the South line of said School District tract, 125.00 feet to THE TRUE POINT OF BEGINNING;

ALSO EXCEPTING THEREFROM that parcel conveyed to the City of John Day, Oregon by deed recorded October 10, 1990, as Instrument No.900976, more particularly described as follows:

A tract of land situated in the Southeast quarter of the Northwest quarter of said Section 23, described as follows:

Beginning at the Northeast corner of Lot 18, of the Charolais Heights Addition to the City of John Day;

Thence North 86° 38' 00" East 118.35 feet to the TRUE POINT OF BEGINNING;

Thence North 84° 02' 49" East 351.90 feet;

Thence North, 60.33 feet;

Thence South 84° 02' 49" West 351.90 feet to the East line of Charolais Drive extended, as described in Book 136, page 525, Deed Records of Grant County, Oregon;

Thence South along said East line 60.33 feet to the TRUE POINT OF BEGINNING.

ALSO SAVE & EXCEPT that parcel conveyed to David L. Holmstrom, et. ux., by deed recorded July 5, 2000, as Instrument No.201545, more particularly described as follows:

A tract of land in the Southeast quarter of the Northwest quarter of said Section 23, described as follows:

Beginning at the Northeast corner of Lot 6 of Panorama Terrace Addition;

Thence North 175.15 feet to a point on the Southerly side line of a 50-foot wide access easement granted to the City of John Day in Deed dated March 11, 1980, recorded March 11, 1980 in Book 122, page 588;

Thence, along the Southerly side line of said easement as follows:

South 71° 36' 27" East 94.58 feet;

Thence South 63° 47' 20" East 135.56 feet to a point on the West boundary line of that certain property shown in Warranty Deed to the City of John Day, a municipal corporation, dated March 11, 1980, recorded March 11, 1980 in Book 122, page 587;

Thence South, along the West boundary of said city tract 80.63 feet to the Southwest corner of said tract;

Thence South 15° 56' 55" East 24.64 feet;

Thence South 151.00 feet to the Northeast corner of Charolais Heights Addition to the City of John Day, as shown by the plat thereof on file and



of record in the office of the County Clerk of Grant County, Oregon, in Book 2 of Plats at page 20;

Thence North 85° 03' 00" West along the Northerly side line of NW Charolais Drive 218.96 feet to a point on the East line of Lot 6 of Panorama Terrace Addition;

Thence North along the East line of said Lot 6 a distance of 151.00 feet to the POINT OF BEGINNING.

All according to Map of Survey No. 1559, to be filed in the Office of the Grant County Surveyor.

Section 24: The West half.

Section 25: All that portion of the North half of the Northwest quarter, described as follows:

Beginning at the Northwest corner of said Sec 25;

Thence South 1° 19' East, along the West line of the Northwest quarter of the Northwest quarter of said Section 25 577.1 feet to the South bank of the John Day River;

Thence South 68° 00' East 90.0 feet;

Thence South 75° 46' East 544.3 feet;

Thence North 84° 39' East 147.7 feet;

Thence North 81° 19' East 310.8 feet;

Thence South 74° 17' East 245.1 feet;

Thence North 78° 35' East 525.1 feet;

Thence South 69° 52' East 293.5 feet;

Thence South 51° 01' East 371.7 feet to the Westerly right of way line of the John Day Highway;

Thence North 6° 20' East along said Westerly right of way line, 40.0 feet to the Northerly right of way line of the John Day Highway;

Thence South 83° 40' East along said Northerly right of way line to a point on the East line of the Northwest quarter of said Section 25;

Thence North along said East line to the Northeast corner of the Northwest quarter of said Section 25

Thence West along the North line of the Northwest quarter of said Section 25, 2640.0 feet, more or less, to the PLACE OF BEGINNING.

ALSO, all that portion of the Northwest quarter of the Northeast quarter described as follows:

Beginning at a point on the East line of the Northwest quarter of the Northeast quarter of said Section 25, said point being 791.0 feet North of the Southeast corner of the said Northwest quarter of the Northeast quarter;

Thence South 82° 45' West 260.0 feet;

Thence South 45° 04' West 254.0 feet;

Thence South 41° 47' West 134.0 feet;

Thence South 57° 14' West 178.0 feet;

Thence South 70° 00' West 684.0 feet to a point on the West line of the Northwest quarter of the Northeast quarter of said Section 25;

Thence North along said West line to the Northwest corner of the said Northwest quarter of the Northeast quarter;

Thence East along the North line of said Northwest quarter of the Northeast quarter 1320.0 feet, more or less, to the Northeast corner of the said Northwest quarter of the Northeast quarter;

Thence South along the East line of said Northwest quarter of the Northeast quarter to the PLACE OF BEGINNING.

SAVE & EXCEPT that portion South of the Highway.

ALSO, SAVE & EXCEPT that portion conveyed to the State of Oregon by Deed dated October 6, 1937, recorded October 18, 1937 in Book 42, pages 158 - 159, Deed Records of Grant County, Oregon for highway right of way.

ALSO SAVE & EXCEPT that parcel conveyed to Willis H. McNeil and Jean M. McNeil, Co- Trustees, by deed recorded February 6, 1995, as Instrument No. 950275, more particularly described as follows:

A tract of land in the Northwest quarter of the Northeast quarter of said Section 25, described as follows:

Beginning at a point which is 1857.45 feet North and 1833.80 feet West of the East quarter corner of said Section 25;

Thence North  $41^{\circ} 47' 00''$  East 57.54 feet;

Thence North  $45^{\circ} 04' 00''$  East 254.00 feet;

Thence North  $82^{\circ} 45' 00''$  East 260.00 feet, more or less, to the East line of the Northwest quarter of the Northeast quarter of said Section 25;

Thence North along the East line of said Northwest quarter of the Northeast quarter 540 feet, more or less, to the North line of said Northwest quarter of the Northeast quarter;

Thence West, along the North line of said Northwest quarter of the Northeast quarter 470 feet, more or less, to a point which is North  $00^{\circ} 13' 06''$  West of the POINT OF BEGINNING;

Thence South  $00^{\circ} 13' 06''$  East 790 feet, more or less, to the POINT OF BEGINNING.

Section 26: All that portion of the North half of the Northeast quarter described as follows:  
Beginning at a point where the East section line of said Section 26 intersects the South bank of the John Day River;  
Thence Westerly along the South bank of said John Day River to a point that is North  $00^{\circ} 54'$  East of the Northeast corner of the Hunter tract as described in Deed recorded September 16, 1971 in Book 107, Page 325, Deed Records of Grant County, Oregon;  
Thence South  $00^{\circ} 54'$  West to the Northeast corner of said Hunter tract;  
Thence South  $89^{\circ} 06'$  West 51.6 feet;  
Thence North 30.0 feet to the center of the John Day River;  
Thence North  $81^{\circ} 22'$  West along the center of the John Day River 92.6 feet;  
Thence South 25.0 feet;  
Thence South  $51^{\circ} 54'$  West 202.4 feet;  
Thence South  $85^{\circ} 16'$  West 140.2 feet;  
Thence South  $70^{\circ} 47'$  West 18.5 feet;  
Thence North  $83^{\circ} 40'$  West 130.4 feet;  
Thence North  $80^{\circ} 13'$  West 149.6 feet;  
Thence North  $82^{\circ} 26'$  West 460.0 feet to the Northeast corner of the Frank Chester, et. ux., lot;  
Thence South  $88^{\circ} 53'$  West 122.2 feet to the Northeast corner of the Edmund T. Way, et. ux., lot;  
Thence North  $73^{\circ} 30'$  West 79.5 feet to the Northeast corner of the Jim Maple, et ux., lot;

Thence N. 65° 55' West 180.0 feet, along the Northerly line of said Jim Maple lot and the Northerly line of Lot 6 in Block "A" of the City of John Day, Oregon, according to the plat thereof filed in the Office of the County Clerk of Grant County, Oregon, March 5, 1914 in Book 1, Page 11, Record of Town Plats, to the Easterly line of Boyce Addition to the City of John Day, Oregon, according to the Plat thereof filed in the Office of the County Clerk of Grant County, Oregon, September 6, 1944, in Book 1, page 20, Record of Town Plats;

Thence Northeasterly along the Easterly line of said Boyce Addition, to a point on the North line of the North half of the Northeast quarter of said Section 26;

Thence East, along the North line of the North half of the Northeast quarter of said Section 26 to the Northeast corner of said Section 26;

Thence South, along the East line of said Section 26, to the POINT OF BEGINNING.

SAVE & EXCEPT from Section 23 and Section 26, Township 13 South, Range 31 East of the Willamette Meridian, Grant County, Oregon, that parcel conveyed to Terry B. Lyons, et. ux. et. al., as described in that certain Correction Warranty Deed recorded January 19, 1989, in Book 136, page 213, as follows:

Beginning at a point on the Southerly boundary line of the Grant County Fairgrounds tract as described in Deed recorded September 6, 1963, in Book 89, page 324, said point being 294.99 feet North and 197.05 feet East of the South quarter corner of said Section 23; thence along the Southerly and Easterly boundary line of said Grant County Fairgrounds, as follows;

North 74° 46' 00" East, 176.50 feet;

Thence North 44° 47' East 185.00 feet, North 16° 14' 00" East 39.50 feet, to the Northeast corner of said Fairgrounds tract;

Thence continuing North 16° 14' 00" East, leaving the Easterly boundary line of said County Fairgrounds a distance of 98.71 feet to a point in the John Day River;

Thence along a line of mutual agreement, said line being between the existing banks of the John Day River, but not necessarily following the center of said river as follows;

South 48° 00' 00" East 118.12 feet;

South 31° 00' 00" East 300.00 feet;

South 61° 30' 00" East 310.00 feet;

South 49° 15' 00" East 600.00 feet;

South 70° 00' 00" East 160.00 feet;

North 69° 20' 00" East 207.03 feet, more or less, to a point which is North 00° 54' 00" East of the Northeast corner of the Hunter tract as described in Deed recorded September 15, 1971, in Book 107, page 325;

Thence South 00° 54' 00" West to the Northeast corner of said Hunter tract;

Thence South 89° 06' West 51.6 feet;

Thence North 30.0 feet to the center of the John Day River;

Thence North 81° 22' West along the center of the John Day River 92.6 feet;

Thence South 25.0 feet;

Thence South 51° 54' West 204.4 feet;

Thence South 85° 16' West 140.2 feet;

Thence South 70° 47' West 18.5 feet;

Thence North 83° 40' West 130.4 feet;

Thence North 80° 13' West 149.6 feet;

Thence North 82° 26' West 460.0 feet to the Northeast corner of the Frank Chester, et. ux. lot;

Thence South 88° 53' West 122.2 feet to the Northeast corner of the Edmund T. Way, et. ux. lot;

Thence North 73° 30' West 79.5 feet to the Northeast corner of the Jim Maple, et. ux. lot;

Thence North 65° 55' West 180.0 feet along the Northerly line of said Jim Maple lot and the Northerly line of Lot 6 in Block "A" of the City of John Day, Oregon, according to the plat thereof filed in the Office of the County Clerk of Grant County, Oregon, in Book 1 of Town Plats, page 11, to the Easterly line of Boyce Addition to the City of John Day, Oregon, according to the plat thereof filed in the Office of the County Clerk of Grant County, Oregon, in Book 1 of Town Plats, at page 20;

Thence Northerly along the Easterly line of said Boyce Addition to the Northeast corner of said Addition;

Thence North 00° 25' East 100.0 feet to the Northeast corner of the Burril tract described in Book 97, page 512, Deed Records;

Thence West along the North line of said Burril tract 100.0 feet to the East Line of NE Elm Street;

Thence North 1° 08' East 20.58 feet along said East line of NE Elm Street to the Southerly line of the Grant County Fairgrounds tract;

Thence South 79° 28' 00" East along said Southerly line 4.93 feet to the PLACE OF BEGINNING.

EXHIBIT B  
ENCUMBRANCES

1. Unpatented mining claims, reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water; whether or not the matters excepted are shown by the public records.
2. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a survey would disclose, and which are not shown by public records.
3. Any additional taxes or penalties and interest due should the premises herein described be disqualified for farm use.
4. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.
5. Subject to any and all matters relating to irrigation ditches or canals that may traverse subject property including easements and assessments, if any.
6. Rights of the public and governmental bodies in and to any portion of the premises herein described lying below the high water mark of the John Day River, including any ownership rights which may be claimed by the State of Oregon below the high water mark.
7. Such rights and easements for navigation and fishing as may exist over that portion of the property lying beneath the waters of the John Day River.
8. Any adverse claim based upon the assertion that:
  - a. Said land or any part thereof is now or at any time has been below the ordinary HIGH water mark of the John Day River;
  - b. Some portion of said land has been created by artificial means or has accreted to such portion so created; or
  - c. Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the John Day River, or has been formed by accretion to any such portion.
9. Easement, including the terms and provisions thereof:

For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.

Granted to: Peoples West Coast Hydro-Electric Corporation  
Recorded: January 21, 1931  
Book: 39  
Page: 29  
Affects: NE1/4NE1/4 of Sect. 26, T13S, R31EWM.
10. Easement, including the terms and provisions thereof:

For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.

Granted to: California Pacific Utilities Company  
Recorded: April 26, 1946  
Book: 48  
Page: 401  
Affects: that portion of subject premises as more particularly described therein.

11. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: California Pacific Utilities Company  
Recorded: May 4, 1950  
Book: 60  
Page: 38  
Affects: NE1/4SW1/4 of Sec. 23, T13S, R31 EWM.
12. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: California Pacific Utilities Company  
Recorded: April 14, 1964  
Book: 90  
Page: 532  
Affects: that portion of subject premises as more particularly described therein.
13. Easement, including the terms and provisions thereof:  
For: Road right of way 20 feet in width, together with all appurtenances thereto as more particularly described therein.  
Granted to: City of John Day, Oregon  
Recorded: May 13, 1964  
Book: 90  
Page: 608  
Affects: that portion of subject premises as more particularly described therein.
14. Easement, including the terms and provisions thereof:  
For: 3 foot wide waterline easement and, in addition, a 10 foot wide easement to repair and maintain same, together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: May 13, 1964  
Book: 90  
Page: 610  
Affects: that portion of subject premises as more particularly described therein.
15. Easement for utilities over and across the premises formerly included within the boundaries of that portion of County Road No.50, now vacated, if any such exist, vacated by Order of the County Court recorded June 2, 1966, in Book "M" of the Commissioner's Journal, at page 51.
16. Right of Way and Perpetual Easement condemned and appropriated by Judgment of the Circuit Court of the State of Oregon for the County of Grant, Case No. L-4143, File No. JR 4431, entitled "Idaho Power Company, Plaintiff, vs. Charles A. Trowbridge, et. al.," entered May 26, 1967, subject to the terms and provisions thereof, reference to which is hereby made.
17. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: California Pacific Utilities Company  
Recorded: January 28, 1970  
Book: 102  
Page: 523  
Affects: SW1/4NW1/4 Sec. 23, T13S, R31EWM.

18. Easement, including the terms and provisions thereof:  
For: Construction and maintenance of a waterline together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: July 31, 1972  
Book: 108  
Page: 601, et. seq.  
Affects: that portion of subject premises as more particularly described therein.
19. Agreement, including the terms and provision thereof:  
Regarding: joint use of the existing road, since vacated, together with all appurtenances thereto as more particularly described therein  
Between: Boyce A. Trowbridge  
And: W. A. Patterson  
Recorded: November 16, 1973  
Book: 110  
Page: 673.
20. Lease, including the terms and provisions thereof:  
From: Dona K. Holmstrom, et. al.  
To: State of Oregon, acting by and through its Board of Forestry  
Dated: January 25, 1977  
Recorded: January 27, 1977  
Book: 116  
Page: 134  
Affects: The SW1/4SW1/4 of Sec. 14, T13S, R31EWM.
21. Easement, including the terms and provisions thereof:  
For: Construction and maintenance of a sewer line, together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: January 6, 1978  
Book: 118  
Page: 137  
Affects: that portion of subject premises as more particularly described therein.
22. Easement, including the terms and provisions thereof:  
For: Ingress and egress to City Reservoir No.5, together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: March 11, 1980  
Book: 122  
Page: 588  
Affects: that portion of subject premises as more particularly described therein.
23. Easement, including the terms and provisions thereof:  
For: Construction and maintenance of a drain ditch, together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: March 11, 1980  
Book: 122  
Page: 590  
Affects: that portion of subject premises as more particularly described therein.

24. Easement, including the terms and provisions thereof:  
For: Construction and maintenance of a domestic waterline together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: March 11, 1980  
Book: 122  
Page: 591  
Affects: that portion of subject premises as more particularly described therein.
25. Easement, including the terms and provisions thereof:  
For: 3 foot wide waterline easement and, in addition, a 30 foot right of way for the purpose of construction and maintenance, together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: March 11, 1980  
Book: 122  
Page: 593  
Affects: that portion of subject premises as more particularly described therein.
26. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: C P National Corporation  
Recorded: September 17, 1982  
Book: 126  
Page: 910  
Affects: that portion of subject premises as more particularly described therein.
27. Lease, including the terms and provisions thereof:  
From: Dona Holmstrom  
To: Grant County, Oregon  
Dated: February 27, 1985  
Recorded: February 27, 1985  
Book: "L"  
Page: 553, of Leases and Agreements.
28. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: C P National Corporation  
Recorded: July 17, 1986  
Book: 133  
Page: 807  
Affects: that portion of subject premises as more particularly described therein.
29. Easement, including the terms and provisions thereof:  
For: Ingress and egress  
Granted to: David K. Holmstrom, et. ux.  
Recorded: January 13, 1989  
Book: 138  
Page: 185  
Affects: that portion of subject premises as more particularly described therein.



30. Easement, including the terms and provisions thereof:  
For: Ingress and egress  
Granted to: Marty J. Holmstrom, et. ux.  
Recorded: May 12, 1989  
Book: 138  
Page: 796  
Affects: that portion of subject premises as more particularly described therein.
31. Easement, including the terms and provisions thereof:  
For: Installation and maintenance of storm drain facility, together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: July 9, 1990  
Book: 140  
Page: 802  
Affects: that portion of subject premises as more particularly described therein.
32. Easement, including the terms and provisions thereof:  
For: "road turn around easement," together with all appurtenances thereto as more particularly described therein  
Granted to: City of John Day, Oregon  
Recorded: October 10, 1990  
Instr. No.: 900976  
Affects: that portion of subject premises as more particularly described therein
33. Easement, including the terms and provisions thereof:  
For: Telephone facilities, together with all appurtenances thereto as more particularly described therein  
Granted to: Oregon Telephone Corporation, a corp.  
Recorded: June 8, 1994  
Instr. No.: 941178  
Affects: that portion of subject premises as more particularly described therein.
34. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: Oregon Trail Electric Consumers Cooperative, a corp.  
Recorded: September 7, 1994  
Instr. No.: 941920  
Affects: that portion of subject premises as more particularly described therein
35. Easement, including the terms and provisions thereof:  
For: Ingress and egress  
Granted to: Willis H. McNeil and Jean M. McNeil, co-trustees  
Recorded: February 6, 1995  
Instr. No.: 950275  
Affects: that portion of subject premises as more particularly described therein
36. Quitclaim Deeds, including the terms and provisions thereof, from Dona Holmstrom to Willis H. McNeil and Jean M. McNeil, co-trustees, and from the aforesaid McNeils, co-trustees to Dona Holmstrom, establishing a common boundary between their respective properties, recorded February 6, 1995, as Inst. No.'s 950276 and 950277, respectively.

37. Agreement, including the term and provision thereof:  
Regarding: Rock Quarry and Stockpile Site, including the terms and provisions thereof  
Between: Dona Holmstrom  
And: Grant County, Oregon  
Recorded: February 8, 1995  
Instr. No.: 950298
38. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: Oregon Trail Electric Consumers Cooperative, a corp.  
Recorded: February 27, 1995  
Instr. No.: 950397  
Affects: that portion of subject premises as more particularly described therein.
39. Agreement, including the terms and provision thereof:  
Regarding: Rock Quarry, including the terms and provisions thereof,  
Between: Dona Holmstrom  
And: Grant County, Oregon  
Recorded: March 2, 1995 Instr. No.: 950427
40. Lease, and access easement, including the terms and provisions thereof, as evidenced by Memorandum:  
From: Dona K. Holmstrom  
To: Oregon RSA No-3 Limited Partnership  
Dated: June 11, 1997  
Recorded: September 17, 1997 Instr. No.: 971812
41. Easement, including the terms and provisions thereof:  
For: the construction and maintenance of transmission lines and poles, together with all appurtenances thereto as more particularly described therein.  
Granted to: Oregon Trail Electric Consumers Cooperative, a corp.  
Recorded: October 28, 1997  
Instr. No.: 972178  
Affects: that portion of subject premises as more particularly described therein.
42. Lease, and access easement, including the terms and provisions thereof, as evidenced by Memorandum:  
From: Dona K. Holmstrom  
To: BMCT, L. P., a Washington Limited Partnership dba Cellular One  
Dated: October 20, 1997  
Recorded: February 6, 1998  
Instr. No.: 980205