LEGAL DESCRIPTION

(PER PRELIMINARY TITLE REPORT PROVIDED BY PIONEER TITLE COMPANY, ORDER NO. 89364. DATED JANUARY 04, 2012.)

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 29 EAST, WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON, BEING PARCEL 1 OF PARTITION PLAT NO. 2010-29 (INSTRUMENT NO. 2010-5730298) OFFICE OF UMATILLA COUNTY RECORDS, FORMERLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 29 EAST, WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON, BEING DESCRIBED AS COMMENCING AT A POINT WHICH LIES ON THE EASTERLY LINE OF SAID SECTION 5, SAID POINT BEING SOUTH 01' 32' EAST, A DISTANCE OF 663 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE CONTINUING SOUTH ALONG THE EASTERLY LINE OF SAID SECTION 5, A DISTANCE OF 136 FEET TO THE SOUTHEAST CORNER OF THAT TRACT OF LAND CONVEYED TO MARTHA A. MASTERS, BY DEED RECORDED IN BOOK 190, PAGE 408, DEED RECORDS: THENCE WEST ALONG THE SOUTH LINE OF SAID MASTERS TRACT, A DISTANCE OF 30 FEET TO A POINT WHICH LIES ON THE WESTERLY RIGHT-OF-WAY LINE OF THE COUNTY ROAD; THENCE SOUTH ALONG THE WESTERLY RIGHT-OF-LINE OF THE SAID COUNTY ROAD, A DISTANCE OF 91 FEET TO THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE WESTERLY AT RIGHT ANGLES, A DISTANCE OF 670 FEET; THENCE SOUTHERLY AT RIGHT ANGLES, A DISTANCE OF 652 FEET, MORE OR LESS, TO A POINT LOCATED ON THE CENTERLINE OF THE FURNISH DITCH; THENCE EASTERLY AND SOUTHERLY ALONG THE CENTERLINE OF THE SAID FURNISH DITCH TO A POINT WHICH LIES ON THE WESTERLY RIGHT-OF-WAY OF THE SAID COUNTY ROAD; THENCE NORTHERLY ALONG THE WESTERLY RIGHT-OF-WAY OF THE SAID COUNTY ROAD TO THE POINT OF BEGINNING:

EXCEPTING THEREFROM THAT TRACT OF LAND CONVEYED TO THE CITY OF STANFIELD BY DEDICATION DEED RECORDED IN INSTRUMENT NO. 2002-4080489, OFFICE OF UMATILLA

ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE HIGHWAY RIGHT-OF-WAY, INCLUDING BUT NOT LIMITED TO THAT PORTION THEREOF TAKEN BY THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, BY FINAL JUDGMENT IN CASE NO. 9388, ENTERED NOVEMBER 13, 1967, IN ACTION AGAINST LILLIAN DEARDORFF, ETAL AND ALSO THAT TRACT OF LAND CONVEYED TO THE STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION, HIGHWAY DIVISION, BY DEED RECORDED IN MICROFILM REEL 173, PAGE 757, OFFICE OF UMATILLA COUNTY RECORDS

ALSO EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE COUNTY RD RIGHT OF WAY

BASIS OF BEARING

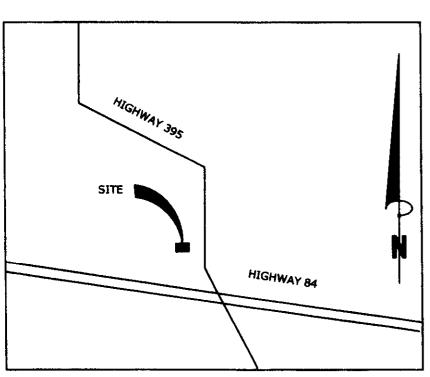
NOO'26'22"W BETWEEN A MONUMENT FOUND AT THE NORTHEAST CORNER OF TAX LOT 1500 AND A MONUMENT FOUND 802.78' SOUTHERLY ALONG THE EAST LINE OF TAX LOT 1500, AS RECORDED ON UMATILLA COUNTY MAPS 01-14-C, AND PARTITION PLAT

REFERENCES

UMATILLA COUNTY SURVEYS:

01-14-C, 91-39-B (SHEETS 7 AND 8), 96-29-B, PARTITION PLAT #2010-29

UMATILLA COUNTY DEED RECORDS: DEED BOOK 93, PAGE 849. DEED BOOK 296, PAGE 456. DEED BOOK 303, PAGE 497. DEED MICROFILM ROLL 173, PAGE 757. DEED MICROFILM ROLL 285,



VICINITY MAP NOT TO SCALE

RECEIVED BY

RECORD OF SURVEY

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M., UMATILLA COUNTY, OREGON

SURVEYOR'S NOTES

- THE LEGAL DESCRIPTION, EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS ARE FROM PIONEER TITLE COMPANY PRELIMANARY REPORT NUMBER 89364 DATED JANUARY 04, 2012. IT SHOULD BE NOTED THAT IN PREPARING THIS SURVEY MAP, WHITE SHIELD, INC., HAS NOT CONDUCTED AN INDEPENDENT TITLE SEARCH NOR IS WHITE SHIELD INC., AWARE OF ANY TITLE ISSUES AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN ON THIS MAP. WHITE SHIELD INC., HAS WHOLLY RELIED ON THE ABOVE REFERENCED TITLE REPORT TO PREPARE THIS SURVEY AND THEREFORE QUALIFIES THE MAP'S ACCURACY AND COMPLETENESS
- 2) THE BOUNDARY SURVEY SHOWN HEREON IS BASED UPON UMATILLA COUNTY SURVEY NUMBER 01-14-C, AND UMATILLA COUNTY PARTITION PLAT #2020-29.
- 3) THE MONUMENTS SHOWN HEREON WERE VISITED IN THE FIELD DURING THE COURSE OF THIS SURVEY. SITE CONTROL WAS DERIVED FROM STATIC GPS DATA, TIED TO N.G.S. STATION "ECHO". ANGULAR AND LINEAR MEASUREMENTS WERE MADE WITH A TRIMBLE TOTAL STATION CALIBRATED WITHIN THE LAST YEAR.
- 4) THE PROPERTY DEPICTED AND DESCRIBED HEREON ENCLOSES AN AREA OF APPROXIMATELY 9.86 ACRES
- 5) UTILITIES OTHER THAN THOSE SHOWN MAY EXIST ON THE SITE. UNDERGROUND UTILITY LOCATIONS SHOWN HERON ARE TAKEN FROM A COMPILATION OF PUBLIC RECORDS AND VISIBLE FIELD EVIDENCE. WE ASSUME NO LIABILITY FOR THE ACCURACY OF THE PUBLIC RECORDS. UNDERGROUND UTILITY LOCATIONS ARE ONLY APPROXIMATE.
 UNDERGROUND CONNECTIONS ARE SHOWN AS STRAIGHT LINES BETWEEN VISIBLE SURFACE LOCATIONS AND MAY CONTAIN BENDS OR CURVES NOT SHOWN. FIELD VERIFICATION IS NECESSARY PRIOR TO OR DURING ANY

TITLE EXCEPTIONS

- 1) LIENS AND/OR ASSESSMENTS OF THE CITY OF STANFIELD, IF ANY.
- 2) THE PREMISES HEREIN DESCRIBED ARE WITHIN THE BOUNDARIES OF THE STANFIELD IRRIGATION DISTRICT, AND THIS PROPERTY IS THEREFORE SUBJECT TO ALL EASEMENTS, LEVIES AND ASSESSMENTS THEREOF.
- 3) RIGHT OF WAY OF THE FURNISH DITCH.
- 4) WATER CHARGES OF THE STANFIELD IRRIGATION DISTRICT, IF ANY.
- 5) CONDITIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, CONTAINED UNDER U.S. PATENT, GRANTEE : ALEXIS CHURCH

RECORDED: FEBRUARY 28, 1907 BOOK 46, PAGE 238, DEED RECORDS.

SUBJECT TO ANY VESTED AND ACCRUED WATER RIGHTS FOR MINING, AGRICULTURE, MANUFACTURING OR OTHER PURPOSES, AND RIGHTS TO DITCHES AND RESERVOIRS USED IN CONNECTION WITH SUCH WATER RIGHTS, AS MAY BE RECOGNIZED AND ACKNOWLEDGED BY THE LOCAL CUSTOMS, LAWS AND DECISIONS OF COURTS, AND ALSO SUBJECT TO THE RIGHT OF THE PROPRIETOR OF A VEIN, OR LODE, TO EXTRACT AND REMOVE HIS ORE THEREFROM, SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISED HEREBY GRANTED, AS PROVIDED BY LAW.

- 6) RESERVATIONS OF IRRIGATION CANAL EASEMENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, CONTAINED IN DEED, GRANTOR: W.J. FURNISH, ETUX RECORDED: MAY 1, 1919, BOOK 104, PAGE 433, DEED RECORDS
- 7) EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTEE: PACIFIC TELEPHONE AND TELEGRAPH COMPANY RECORDED: DECEMBER 31, 1936, BOOK 151, PAGE 409, DEED RECORDS.
- 8) WATER AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FIRST PARTY: WESTERN LAND AND IRRIGATION COMPANY SECOND PARTY: PIONEER IRRIGATION COMPANY RECORDED : MARCH 18, 1940, BOOK 160, PAGE 35 AND RE-RECORDED : JANUARY 30, 1952, BOOK 202, PAGE 275, DEED RECORDS.
- EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTEE : PACIFIC POWER AND LIGHT COMPANY RECORDED: OCTOBER 26, 1945, BOOK 170, PAGE 426, DEED RECORDS.

TITLE EXCEPTIONS (CONT)

10) EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTEE : PACIFIC POWER AND LIGHT COMPANY RECORDED: OCTOBER 26, 1945, BOOK 170, PAGE 428, DEED RECORDS.

11) EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTEE: UMATILLA ELECTRIC COOPERATIVE ASSOCIATION RECORDED: JUNE 7, 1965, BOOK 280, PAGE 246, DEED RECORDS.

12) ACCESS RESTRICTIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, CONTAINED IN FINAL JUDGEMENT FILED IN THE STATE CIRCUIT COURT FOR UMATILLA COUNTY, OREGON, PLAINTIFF : STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION RESPONDENT: LILLIAN DEARDORFF, ETAL : NOVEMBER 13, 1967, CASE NO. 9388

13) ACCESS RESTRICTIONS AND RESERVATIONS, INCLUDING THE TERMS AND PROVISIONS THÉREOF. CONTAINED IN DEED, GRANTOR: STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION RECORDED : NOVEMBER 17, 1969, BOOK 303, PAGE 497, DEED RECORDS

14) ACCESS RESTRICTIONS AND RESERVATIONS, INCLUDING THE TERMS AND PROVISIONS THEREOF, CONTAINED IN DEED,

GRANTOR : ROLAND L. HOLEMAN, ETUX RECORDED : NOVEMBER 23, 1988, MICROFILM REEL 173, PAGES 757 AND 758, OFFICE OF UMATILLA COUNTY RECORDS

INDENTURE OF ACCESS, INCLUDING THE TERMS AND PROVISIONS THEREOF, FIRST PARTY: STATE OF OREGON, BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION SECOND PARTY: PILOT CORPORATION : MAY 22, 1996, MICROFILM REEL 290, PAGE 926, OFFICE OF UMATILLA COUNTY

15) EASEMENT FOR INGRESS AND EGRESS, INCLUDING THE TERMS AND PROVISIONS THEREOF, RESERVED IN DEED, GRANTOR: ROLLAND L. HOLEMAN RECORDED: FEBRUARY 18, 1996, MICROFILM REEL 285, PAGE 918, OFFICE OF UMATILLA COUNTY

16) EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, GRANTOR: UMATILLA ELECTRIC COOPERATIVE ASSOCIATION RECORDED: JUNE 18, 1996, MICROFILM REEL 292, PAGE 225, OFFICE OF UMATILLA COUNTY RECORDS NOT PLOTTED.

17) JOINT USE OF EASEMENT AGREEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, FIRST PARTY : STANFIELD IRRIGATION DISTRICT SECOND PARTY: PILOT CORPORATION RECORDED : OCTOBER 1, 1997, INSTRUMENT NO. 1997—3170291, OFFICE OF UMATILLA

18) EASEMENT FOR INGRESS AND EGRESS, INCLUDING THE TERMS AND PROVISIONS THEREOF,

GRANTOR: CASCADE NATURAL GAS CORPORATION RECORDED: NOVEMBER 3, 1997, INSTRUMENT NO. 1997-3180758, OFFICE OF UMATILLA COUNTY NOT PLOTTABLE.

19) FINANCING STATEMENT, INDICATING A SECURITY AGREEMENT, : PILOT CORPORATION D/B/A PILOT TRAVEL CENTER SECURED PARTY : CAT SCALE COMPANY : MARCH 27, 1998, INSTRUMENT NO. 1998-3260338 RECORDED CONTINUED OCTOBER 21, 2002, INSTRUMENT NO. 2002-4220426 : OCTOBER 16, 2007, INSTRUMENT NO. 2007-5270118

20) LEASE AND OPERATING AGREEMENT WITH A RIGHT OF FIRST REFUSAL, INCLUDING THE TERMS AND PROVISIONS THEREOF, DISCLOSED BY MEMORANDUM, : PILOT TRAVEL CENTERS, LLC LESSOR

LESSEE MCDONALD'S CORPORATION

: JUNE 13, 2002 DATED

RECORDED : JULY 8, 2003, INSTRUMENT NO. 2003-4410488 AND

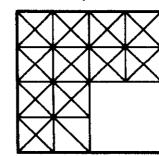
SUPPLEMENTAL: NOVEMBER 28, 2005, INSTRUMENT NO. 2005-4920475, OFFICE OF UMATILLA

- 21) INTEREST OUTSTANDING, IF ANY IN FAVOR OF THE CITY OF STANFIELD IN AND TO PARCEL 2 OF PARTITION PLAT NO. 2010-29.
- 22) EASEMENTS SHOWN ON PARTITION PLAT NO. 2010-29, RECORDED: DECEMBER 14, 2010 IN INSTRUMENT NO. 2010-5730298. OFFICE OF UMATILLA
- 23) ANY DOCUMENTS EXECUTED BY PILOT DELAWARE LLC, A DELAWARE LIMITED LIABILITY COMPANY (HEREINAFTER REFERRED TO AS THE "LLC") MUST BE EXECUTED PURSUANT TO A PROPER RESOLUTION VOTED ON AT A DULY CALLED MEETING IN ACCORDANCE WITH THE BY-LAWS OF OR OTHER AUTHORITY OF THE "LLC". CERTIFIED COPIES OF THE RESOLUTION AUTHORIZING THE EXECUTION AND OF THE MINUTES OF THE MEETING AND COPIES OF THE BY-LAWS OR OTHER AUTHORITY FOR SUCH EXECUTION MUST BE FURNISHED FOR EXAMINATINON. THE RESOLUTION MUST SPECUGY THE OFFICERS AUTHORIZED TO SIGN ON BEHALF OF THE "LLC".
- 24) PARCEL CONVEYED TO THE CITY OF STANFIELD PER DOCUMENT 2002-4080489
- 25) LAND CONVEYED TO THE STANFIELD IRRIGATION DISTRICT, DEED BOOK 296, PAGE 456

SURVEYOR'S CERTIFICATION TSN. R29E

MICHAEL R. MERRITT, OREGON PROFESSIONAL LAND SURVEYOR NUMBER 85254 DO HEREBY CERTIFY THAT I HAVE CORRECTLY SHOWN THE RECORD BOUNDARIES OF THE UNSURVEYED PARCEL DESCRIBED IN THE LEGAL DESCRIPTION SHOWN ABOVE, SAID PARCEL BEING SITUATED IN THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 3 NORTH, RANGE 29 EAST, WILLAMETTE MERIDIAN, UMATILLA COUNTY, OREGON.

MICHAEL ROBERT MERRITT, P.L.S



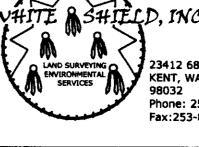
OREGOI NOVEMBER 8, 2011 MICHAEL ROBERT MIERRITI 85254 SECTION 5

EXPIRES 12-31-2012

REGISTERED

PROFESSIONAL

Land Surveyor



23412 68TH AVE S. KENT. WA. Phone: 253-867-6070 Fax:253-867-6075

GREENBERG FARROW 1430 WEST PEACHTREE STREET SUITE 200 ATLANTA, GEORGIA 30309 SE 1/4 ,SEC. 5, T3N, R29E.

RECORD OF SURVEY

SCALE H: JOB: 211-017-01 N/A

N/A CADD: ACAD-ACAD-STANFIELD MRM2.dwg

SURVEY BY: WSI DRAWN BY: EJS

CHECKED BY: MRM

DATE: JULY 09, 2012