

APPROVAL:

ASHLAND PLANNING COMMISSION  
PA 84-081

12/21/84  
DATE

# MINOR LAND PARTITION

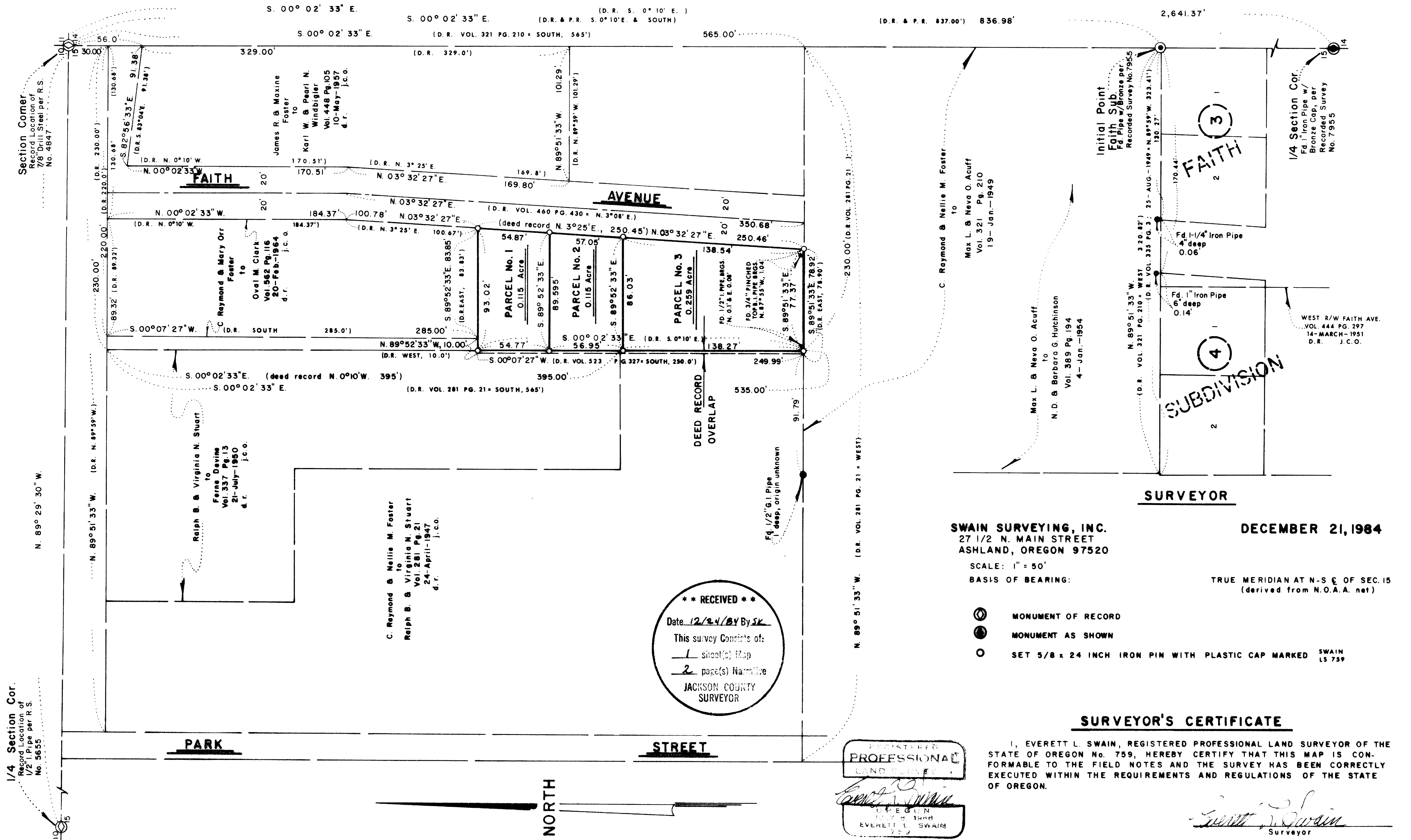
located in  
NE 1/4 OF SEC. 15, TWP. 39S., R. 1 E.W.M.  
JACKSON COUNTY OREGON

## SHURMAN A. GARDNER

566 Park Street  
ASHLAND, OREGON 97520

FILED FOR RECORD THIS THE 24 DAY OF December 19 84  
AT 1:49 O'CLOCK P.M. AND RECORDED IN VOLUME 6 PAGE 12  
OF "MINOR LAND PARTITIONS" IN JACKSON COUNTY, OREGON.

Kathleen J. Bessett County Clerk  
Joy A. Ramette Deputy



**\*\* RECEIVED \*\***  
 Date 12/24/84 By SK  
 This survey consists of:  
 1 sheet(s) Map  
 2 page(s) Narrative  
 JACKSON COUNTY  
 SURVEYOR

**SWAIN SURVEYING, INC.**  
 27 1/2 N. MAIN STREET  
 ASHLAND, OREGON 97520  
 SCALE: 1" = 50'  
 BASIS OF BEARING:

DECEMBER 21, 1984

- ⊙ MONUMENT OF RECORD
- ⊙ MONUMENT AS SHOWN
- SET 5/8 x 24 INCH IRON PIN WITH PLASTIC CAP MARKED SWAIN LS 759

### SURVEYOR'S CERTIFICATE

I, EVERETT L. SWAIN, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF OREGON No. 759, HEREBY CERTIFY THAT THIS MAP IS CONFORMABLE TO THE FIELD NOTES AND THE SURVEY HAS BEEN CORRECTLY EXECUTED WITHIN THE REQUIREMENTS AND REGULATIONS OF THE STATE OF OREGON.

REGISTERED  
**PROFESSIONAL**  
 LAND SURVEYOR  
 EVERETT L. SWAIN  
 759

Everett L. Swain  
 Surveyor

Shurman A. Gardner  
Page 2

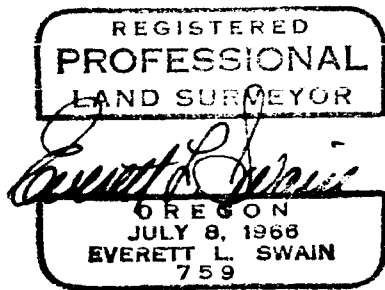
Now, our attention is turned to the location of Faith Avenue. Volume 460, page 430 of the deed records defines the centerline location of said street. When applying the location of this alignment to the land conveyances along either side of said street, deed distances were found to be drastically different. A review of the City of Ashland records revealed some maps and field book No. 45, wherein Faith Avenue extension to Highway 66 is shown to have been surveyed by then, transitman Allen A. Alsing. The distance shown in the field book of 110.68 feet, Westerly of and parallel to the section line fits the centerline of Faith Avenue as calculated from deed record Volume 448, page 105. Therefore, it became somewhat clearer that the intent of the survey and deed descriptions were to be in harmony with one another. Somewhere along the line a foulup was made in getting from the North boundary line of Faith Sub. to the centerline angle point of said street. In running a closure on the city maps, utilizing the closing distance from the aforesaid field book, there is a 4.8 foot error in departure. With some of these parcels of land having actually been conveyed prior to the conveyence to the City of Ashland that strip of land known as Faith Avenue, Northerly of Faith Subdivision, and such a gross error being found in the City's records, Faith Avenue, as shown on the accompanying map, was established utilizing the deed record location per Volume 448, page 105. Other parcels of land were then calculated in relation to this alignment and the results were found to be extremely favorable in relation to those distance values given in the deed records. It appears to me, that although there never was but one angle point in the centerline of Faith Avenue, Northerly of Faith Subdivision, there will now be another slight angle point created because of the sequence of land conveyences in relation to the deeding of said street right of way. It would probably behoove the City of Ashland to establish a final centerline and legalize its location with the abutting property owners. The existing curbs were tied to further evaluate the final alignment, as established by this survey. The results were good and no major problems exist.

The remainder of the survey is as shown on the accompanying map.

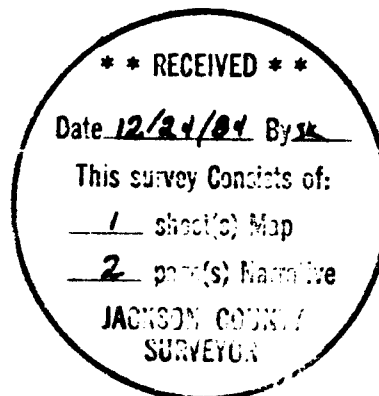
**BASIS OF BEARING:**

True Meridian at the N-S centerline of Section 15 as derived from the National Oceanic and Atmospheric Administration (formerly Coast and Geodetic Survey) survey net established in 1968 and filed in the office of the Jackson County Surveyor.

December 21, 1984



Swain Surveying, Inc.  
27 1/2 N. Main Street  
Ashland, OR 97520



SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250  
OREGON REVISED STATUTES

- SURVEY FOR:** Shurman A. Gardner  
566 Park Street  
Ashland, OR 97520
- LOCATION:** Situated in the Northeast quarter of Section 15, Township 39 South, Range 1 East of the Willamette Base and Meridian, Jackson County, Oregon.
- PURPOSE:** To partition into three (3) parcels that tract or parcel of land as set forth in Volume 523, page 327 of the deed records and as approved by the City of Ashland Planning Commission. Also, prepare legal descriptions for Parcels No. 1 and 2.
- PROCEDURE:** Commenced this survey by searching for any possible monumentation. Established a random traverse down Faith Avenue and tied those previously found monuments, fences and concrete block walls.

In reviewing the clients deed, there was questions raised about senior title rights, possible overlaps and the location of Faith Avenue.

First of all C. Raymond Foster held title to all the land between Highway No. 66, Siskiyou Boulevard, Park Street and the East line of Section 15. It became apparent that it would be necessary to retrace the record back to those conveyences made by C. Raymond Foster. Mr. Foster had a unique way of always being involved in less than desirable land conveyences, as far as the legal descriptions were concerned. After exhaustive review of the various deeds and calculating the relationship of those deeds in relation to physical boundaries and found monuments, origin unknown, it was determined that the probable intent of all these conveyences, except for the East-West boundary line common to Volume 562, page 116 and Volume 523, page 327, was to have the East-West boundary lines, lying Northerly of the Northerly boundary line of the Faith Subdivision, to be parallel to one another. When using this analysis a greater harmony was realized with existing improvements and found monuments than did other possible solutions. In regards to the direction of the North-South boundary lines, it became more apparent as the deeds of record were analyzed, except for the Westerly boundary line of Volume 562, page 116, that the North-South boundary lines were intended to be parallel to the East boundary line of Section 15. Utilizing this theory, the placement of the monumentation set along the Easterly boundary line of Volume 337, page 13 resulted in a near perfect fit, as far as the existing improvements are concerned. There is a concrete block wall along the Easterly boundary line of the last recited volume and page and the East face of said wall, at the top, cleared the property line by 0.2 of a foot, where measurements could be taken. I am satisfied that the retracement procedure applied to this survey is the best solution and causes the least disturbance within the neighborhood.

As is shown on the map, the clients deed does in fact overlap the East boundary line of those tracts or parcels of land as set forth in Volume 281, page 21 and Volume 337, page 13 of the deed records. Inasmuch as the clients deed is a junior title right, this survey and subsequent land conveyences will eliminate the overlap and adhere to the Easterly boundary line of Volume 337, page 13 and the Southerly extension thereof.