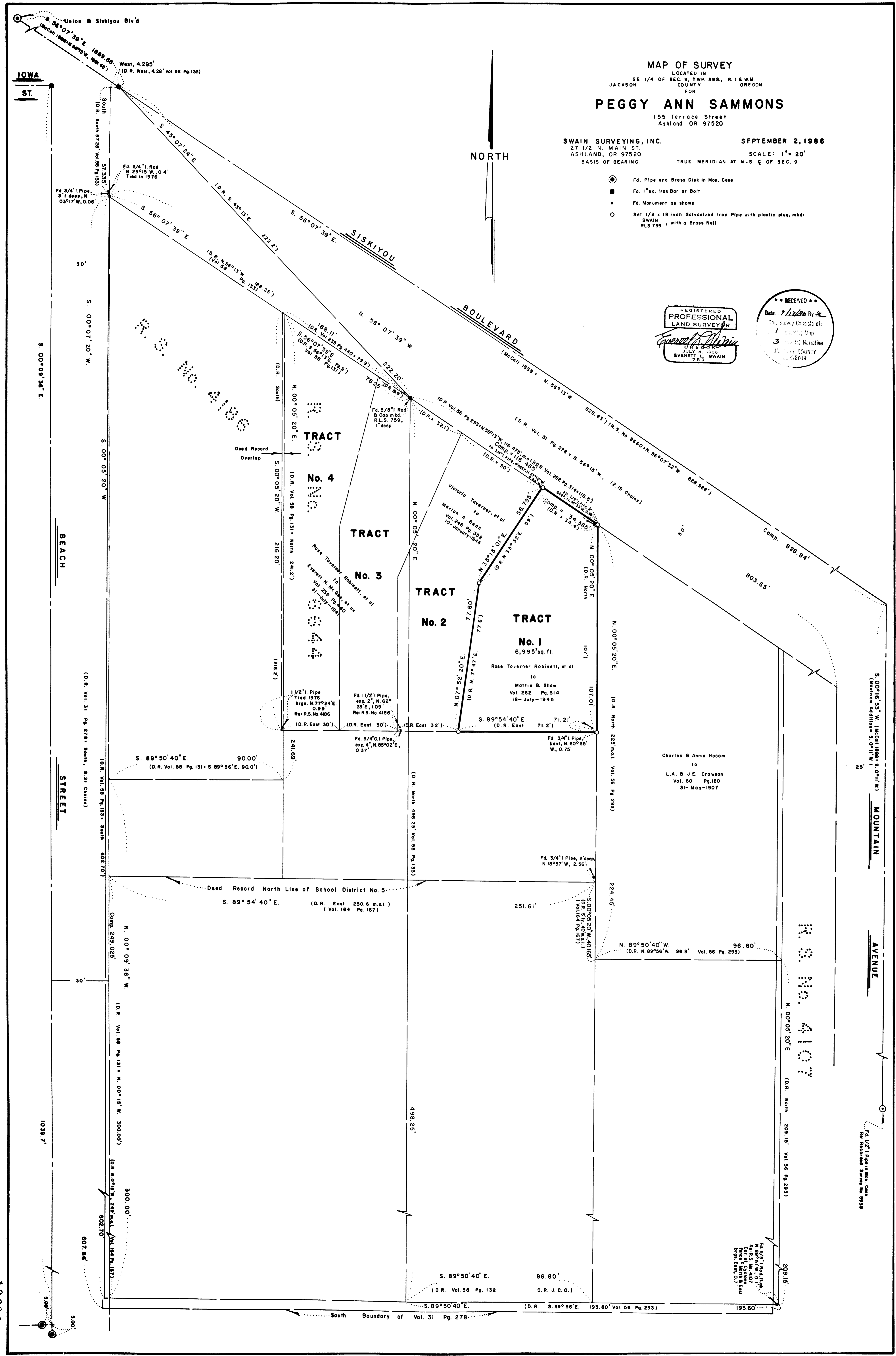
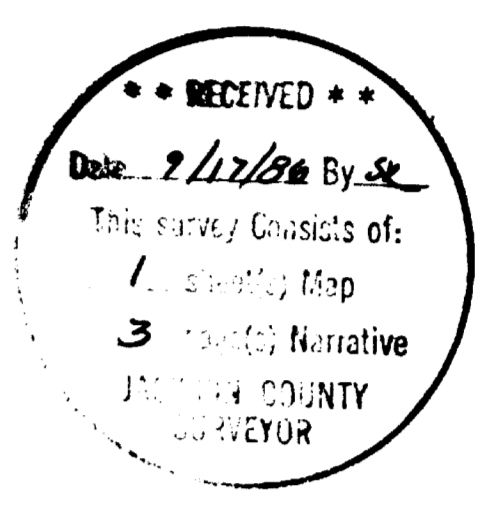
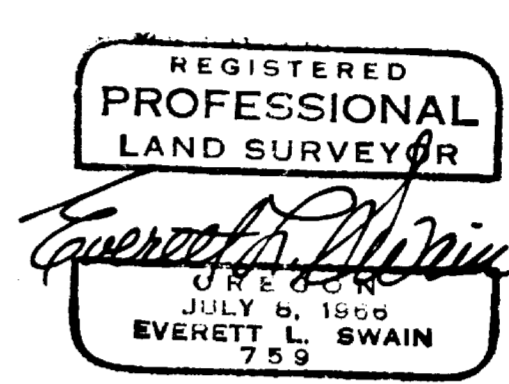


MAP OF SURVEY
 LOCATED IN
 SE 1/4 OF SEC. 9, TWP. 39S., R. 1E.W.M.
 JACKSON COUNTY OREGON
PEGGY ANN SAMMONS
 155 Terrace Street
 Ashland OR 97520

SWAIN SURVEYING, INC.
 27 1/2 N. MAIN ST.
 ASHLAND, OR 97520
 BASIS OF BEARING: TRUE MERIDIAN AT N-S $\frac{1}{2}$ OF SEC. 9

SEPTEMBER 2, 1986
 SCALE: 1" = 20'

- Fd. Pipe and Brass Disk in Mon. Case
- Fd. 1"sq. Iron Bar or Bolt
- Fd. Monument as shown
- Set 1/2 x 18 inch Galvanized Iron Pipe with plastic plug, mkd. SWAIN RLS 759, with a Brass Nail



R.S. No. 4186

R.S. No. 4107



SWAIN SURVEYING, INC.

27 1/2 North Main Street
Ashland, Oregon 97520

Survey No. 10691

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES

- SURVEY FOR:** Peggy Ann Sammons
155 Terrace St.
Ashland, OR 97520
- LOCATION:** Situated in the Southeast quarter of Section 9, Township 39 South, Range 1 East of the Willamette Base and Meridian, Jackson County, Oregon.
- PURPOSE:** To survey and monument that tract of land as set forth in Document No. 76-17942 of the Official Records of Jackson County, Oregon.
- PROCEDURE:** Review of the Jackson County Surveyor's records revealed several surveys within the immediate area which might have an influence on the ultimate location for the boundaries of that tract of land, which is the subject of this survey. Deed research was conducted, at the court house, to determine the compatibility of the adjacent properties. It became apparent that few of the deeds, which were prepared for land transactions in this immediate area, are mathematically correct. Some error of closures are excessive. In reviewing Recorded Survey No. 4107, several things became questions. First of all, although Mountain Avenue has been shown over the years to be a straight line from Ashland Street to a point Northerly of East Main Street, does not necessarily mean that it is in fact a straight line over its entire length. Mountain Avenue, Northerly of Siskiyou Boulevard, was once known as Douglas Street. A portion of that street was created in the platting of the Ashland Homestead Association subdivision. Other parts were apparently acquired by deed. Mountain Avenue, Southerly of Siskiyou Boulevard was created in the platting of the Montview Addition subdivision. It would be extremely doubtful if a retracement, under these circumstances would yield one straight line over the entire length of Mountain Avenue. M.L. McCall, in 1888, surveyed the centerline of Siskiyou Boulevard giving distances to side streets. In retracing the centerline of Siskiyou Boulevard, the iron pin at the centerline of Iowa Street, as described by McCall, was found along with the stone monument at Union Street, since replaced with an iron pipe and brass disk (see Recorded Survey No. 4267). These monuments were tied together in order to establish a measurement index factor. A comparison to a previous measurement index factor, which was established by the retracing of McCall's resurvey of the outer boundary of Donation Land Claim No. 40, was made. The two measurement index factors were very close. Therefore, as I had previously done, I held McCall's distance, adjusted by said index factor, Southeasterly along the centerline of Siskiyou Boulevard from the iron pin found at Iowa Street, to position the centerline intersection of Mountain Avenue and Siskiyou Boulevard. A heading was then determined by utilizing a found iron pipe in a monument case at the vicinity of the South line of Section 9. This heading is very close to the retracement value of Mountain Avenue, Southerly of Ashland Street. Utilizing Beach Street and South Mountain Avenue, as retraced by this survey, the distance along the Southwesterly right of way line of Siskiyou Boulevard was computed. The computed distance was found to be 0.89 of a foot shorter than that distance recited in Volume 31, page 278 of the Deed Records. A check with the City of

Peggy Ann Sammons
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Ashland Engineering Department, in regards to a McCall map of 1892, revealed nothing. Beach Street is not in evidence on the last officially adopted City of Ashland map dated November 5, 1888. Therefore, I am unaware of the map as referred to by Recorded Survey No. 4107. Further, monumentation as found and utilized by Recorded Survey No. 4107 is somewhat questionable. Walker's field book No. 39, page 8 does show several lots as being surveyed with black dots and indicating a pipe at these corner points. However, nothing on this page would suggest or indicate how Walker arrived at his right of way locations for Mountain Avenue and the Boulevard. I have tied several of these monuments in the past and it was difficult to find an answer for where Walker's basic control was derived from. This survey was conducted at least 37 years after McCall ran the centerline of Siskiyou Boulevard. It is now 98 years after McCall ran the centerline of Siskiyou Boulevard and there are still enough McCall monuments left, in place and undisturbed, to determine a very close position for Mountain Avenue and Siskiyou Boulevard, per his 1888 survey. Further Recorded Survey No. 4107 states in his narrative that "the west boundary of larger subject tract was found to have been established in D.R. 31-278. Monuments recorded in Walker's field book No. 39, page 22 were recovered and used to establish this original division." In reviewing Walker's field book No. 39, page 22 I find no notation of monuments being set at the corners of the boundary lines shown thereon. Further I find no date on page 22 to indicate when this survey actually took place. On page 20-1/2 I find a date, which was probably written in at some point in time after some of the other data was recorded, as 7/1-26. On page 23-1/2 a date is noted as 3/3-26. On page 14 a date is shown as 9/11-25. This survey, which is shown at the bottom of page 22 as "City Grade School Tract", does not agree in all respects, with the description as set forth in that Warranty Deed filed for record in Volume 164, page 167 of the Deed Records of Jackson County, Oregon. Said deed record does not call for any artificial monumentation. It does however, limit its courses and distances to adjoining tracts and street rights of way. Because of the lack of proof positive, that Walker actually surveyed this tract of land before it was conveyed to School District Five and for other reasons stated hereinabove, I have rejected the rationale of Recorded Survey No. 4107. Without a date fixing the time of Walker's survey, it is just as logical to believe that Walker may have surveyed this tract of land after it was conveyed to School District Five which would leave the pipes found in the field subordinate to the deed record location of said tract. These pipes, which were found, may have some value in relation to claims of adverse possession, but that remains a question to be answered by lawyers or a court of competent jurisdiction. With this analysis of prior surveys out of the way, I turned to the positioning of my client's tract of land. It was found that what is called the "Taverner Tracts" were apparently created in the early 1940's. In calculating the closures of these four tracts of land, it was found that the closures were ranging from fair to bad. In reviewing the four Taverner deeds, it was fairly obvious what distances were selected for each tract abutting Siskiyou Boulevard. Also, it was quite clear as to the intended distance for each tract's Southerly boundary line. In order to establish the latitude of the Southerly boundary line of said tracts, it was decided to retrace the outer boundary encompassing the entire four tracts. The result was near perfect. It was apparent that whoever prepared these legal descriptions did not have the expertise to calculate the correct courses and distances to make these tracts of land mathematically close. The Southeast corner of Volume 248, page 352 was held as shown on the accompanying map. Then the deed record bearing oriented to the bearing of this survey and deed record distance was held proceeding Northeasterly therefrom. The closing course of said volume and page was computed directly back to the point of beginning forcing a closure and throwing the error in the last course of said deed. My Client's tract of land is a Junior title holder in relation to the other three Taverner Tracts. The results, once this was all analyzed, were very good in relation to the deeds of record. Those pipe monuments found are as shown on the accompanying map.

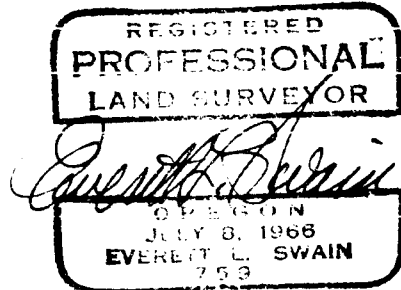
Peggy Ann Sammons
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BASIS OF BEARING:

True Meridian at the N-S centerline of Section 9 as derived from the National Oceanic and Atmospheric Administration (formerly Coast and Geodetic Survey) survey net established in 1968 and file in the office of the Jackson County Surveyor.

September 2, 1986

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



Tax Lot 6800 39 1E 9DA

