

APPROVAL: John Ferguson 6-18-87  
ASHLAND PLANNING COMMISSION DATE  
PA 87-056

# MINOR LAND PARTITION

LOCATED IN  
D.L.C. No. 40 & NE 1/4 OF SEC. 8, TWP. 39S., R. 1 E. W.M.  
JACKSON COUNTY OREGON

## MICHAEL PAUL EDWARD TOLAND

165 ALMOND STREET  
ASHLAND, OREGON 97520

FILED FOR RECORD THIS THE 22 DAY OF June 1987  
AT 2:00 O'CLOCK P. M. AND RECORDED IN VOLUME 7 PAGE 37  
OF "MINOR LAND PARTITIONS" IN JACKSON COUNTY, OREGON.

Kathleen J. Beckett County Clerk  
Joy A. Remiter Deputy

### DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT WE MICHAEL PAUL EDWARD TOLAND AND COLLEEN MARIE TOLAND, HUSBAND AND WIFE, ARE THE OWNERS IN FEE SIMPLE, OF THE LAND SHOWN HEREON AS PARCELS No. 1 AND 2 AND WE HAVE CAUSED THE PARTITIONING AS SHOWN HEREON. WE DO HEREBY DEDICATE TO THE CITY OF ASHLAND A PUBLIC UTILITY EASEMENT (P.U.E.), OVER, ACROSS AND THROUGH PARCELS No. 1 AND 2, AS SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE SET OUR HANDS AND SEALS THIS 18th DAY OF JUNE 1987

Michael Paul Edward Toland Michael Paul Edward Toland  
Colleen Marie Toland Colleen Marie Toland

STATE OF OREGON  
COUNTY OF JACKSON

June 18 A.D. 1987

PERSONALLY APPEARED THE ABOVE NAMED MICHAEL PAUL EDWARD TOLAND AND COLLEEN MARIE TOLAND, HUSBAND AND WIFE, AND ACKNOWLEDGE THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. BEFORE ME:

Winona G. Swain  
WINONA G. SWAIN  
NOTARY PUBLIC - OREGON  
My Commission Expires 6-20-90

EXAMINED AND APPROVED THIS 18th DAY OF June 1987

James H. Olson  
City Surveyor

WE CERTIFY THAT PURSUANT TO AUTHORITY GRANTED TO US BY THE ASHLAND PLANNING COMMISSION IN OPEN MEETING OF April 8 1987 THIS MAP IS HEREBY APPROVED. DATED THIS 18th DAY OF June 1987

Carl F. Stout President  
John Ferguson Secretary

### SURVEYOR

SWAIN SURVEYING, INC.  
27 1/2 N. MAIN STREET  
ASHLAND, OREGON 97520

JUNE 10, 1987

SCALE: 1" = 50'  
BASIS OF BEARING:

TRUE MERIDIAN AT N-S C. OF SEC. 8  
(derived from N.O.A.A. net)

- MONUMENT AS SHOWN
- FOUND MONUMENT AS SHOWN
- FOUND 1/2" GALVANIZED IRON PIPE PER R.S. No. 4054
- FOUND 5/8" IRON ROD WITH PLASTIC CAP mkd. BURRELL PER R.S. No. 4870 RLS 638
- SET 3/4 x 30" IRON PIPE WITH BRASS NAIL IN PLASTIC PLUG, mkd. SWAIN LS 759
- SET 3/4 x 30" GALVANIZED IRON PIPE WITH BRASS NAIL IN PLASTIC PLUG mkd. SWAIN LS 759

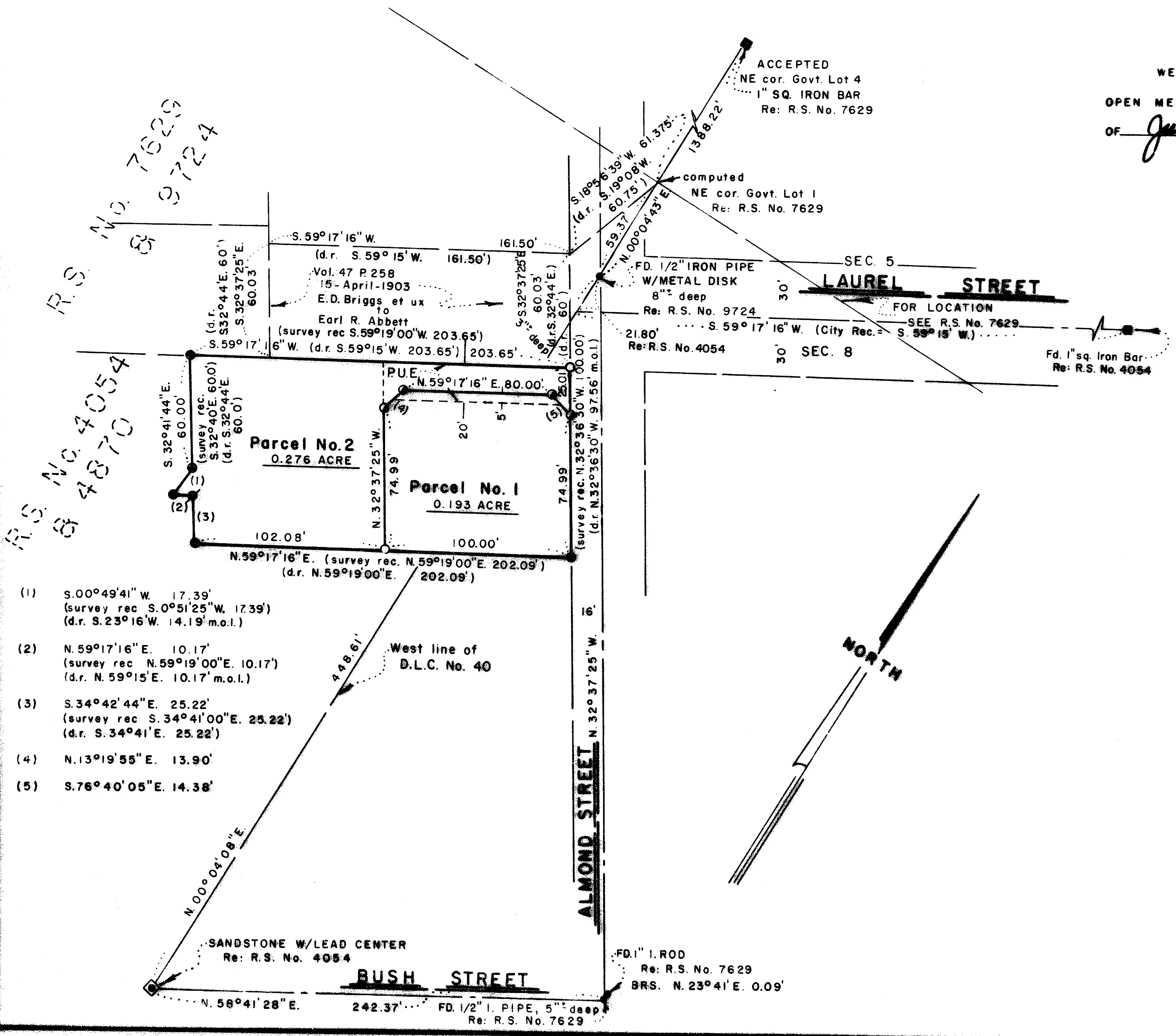
### SURVEYOR'S CERTIFICATE

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.

Everett L. Swain  
Surveyor

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
Everett L. Swain  
OREGON  
JULY 8, 1966  
EVERETT L. SWAIN  
759

\*\* RECEIVED \*\*  
Date 6/22/87 By JK  
This survey consists of:  
1 sheet(s) Map  
2 page(s) Narrative  
JACKSON COUNTY  
SURVEYOR



- (1) S. 00° 49' 41" W. 17.39'  
(survey rec. S. 0° 51' 25" W. 17.39')  
(d.r. S. 23° 16' W. 14.19' m.o.l.)
- (2) N. 59° 17' 16" E. 10.17'  
(survey rec. N. 59° 19' 00" E. 10.17')  
(d.r. N. 59° 15' E. 10.17' m.o.l.)
- (3) S. 34° 42' 44" E. 25.22'  
(survey rec. S. 34° 41' 00" E. 25.22')  
(d.r. S. 34° 41' E. 25.22')
- (4) N. 13° 19' 55" E. 13.90'
- (5) S. 76° 40' 05" E. 14.38'

R.S. No. 7629 & 9724  
R.S. No. 4054 & 4870



SWAIN SURVEYING, INC.

27½ North Main Street  
Ashland, Oregon 97520

Survey No. 10904

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250  
OREGON REVISED STATUTES

- SURVEY FOR:** Michael Paul Edward Toland  
165 Almond Street  
Ashland, Oregon 97520
- LOCATION:** Situated in a portion of Donation Land Claim No. 40 in the Northeast quarter of Section 8 in Township 39 South, Range 1 East of the Willamette Base and Meridian, Jackson County, Oregon.
- PURPOSE:** To partition that tract of land as originally surveyed and shown on Recorded Survey No. 4870. Prepare legal descriptions for both the parcels which were created by this survey.
- PROCEDURE:** The Northerly corner of Parcel No. 2, as monumented on Recorded Survey No. 4870, was not recovered at this time. Evidence of a great deal of digging activity was apparent at the time we searched for this monument. The corner location falls a half foot or so on the Northerly side of an existing power pole. The pole appears to be fairly new; therefore, this may have been the fate of this corner monument. The other monuments either set or found and shown on Recorded Survey No. 4870 were found at this time. The centerline monument found at Almond and Bush Streets and utilized by this survey differs slightly with the monument found and utilized on Recorded Survey No. 4870. In my analyzation of the monuments found and shown on Recorded Survey No. 7629, it was my conclusion that the 1/2 inch iron pipe was more in harmony with both Bush and Almond Streets than was the found 1 inch iron rod. It is interesting that the City of Ashland intersection tie book shows "two (2) pipes with a question mark in parenthesis". The primary notation calls for a pipe. I first visited this intersection location in October, 1971 and found a 1/2 inch pipe and a 1 inch iron rod. Origin of the iron rod is unknown. The 1/2 inch pipe is presumably the result of the City of Ashland Engineering Department in the era of F. Walker, City Engineer. The remainder of the monuments found were determined to be within a 0.1 of a foot or less in relation to the calculated locations; therefore, the monuments found were considered as good.

It should be noted that the descriptions as set forth in Document No. 84-19539 shows the following: Parcel No. 1 utilizes the courses and distances as returned on Recorded Survey No. 4870. Parcel No. 2 utilizes a combination of previously recorded deed bearings and distances with the bearings and distances as shown on Recorded Survey No. 4870. This problem was traced back to Document No. 74-12183 of the Official Records of Jackson County, Oregon. It is believed, by this surveyor, that the scrivener of the last mentioned document failed to adhere to the survey which partitioned this tract of land. The monuments on the ground are what the people in the area are adhering to in good faith. Therefore, I have utilized the intent of the boundary lines of Recorded Survey No. 4870 to control the present descriptions of record.

Survey No. 10904

Page 2  
Michael Paul Edward Toland

On Recorded Survey No. 4054 a private road is shown crossing land that is now shown as Parcel No. 2 on the accompanying map. There is a portion of Parcel No. 2 which falls Southwesterly of an existing fence which is along the Easterly side of a dirt surface access way. No attempt was made by this surveyor to verify the validity of this private road.

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

**BASIS OF BEARING:**

True Meridian at the N-S centerline of Section 8 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.

June 10, 1987

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

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Everett L. Swain*

OREGON  
JULY 8, 1966  
EVERETT L. SWAIN  
759

Tax Lot 6400 39 1E 8AA

**\*\* RECEIVED \*\***  
Date 6/22/87 By SL  
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JACKSON COUNTY  
SURVEYOR