

MAP OF SURVEY
 LOCATED IN
 D.L.C. No. 72 in S.E. 1/4 of SECTION 25, Twp. 38 S., Rge. 1 W., W.B.&M
 JACKSON COUNTY OREGON
 FOR

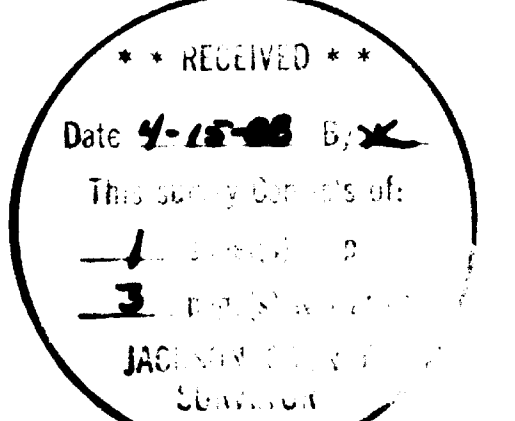
ALBERT D. HULSEY
 P.O. Box 694
 Talent, Oregon 97540

MARGARET HULSEY
 430 Alpine Way
 Talent, Oregon 97540

ROBERT S. BLANTON, P.E.
 Consulting Engineering
 130 West Ninth
 Medford, Oregon 97501

JANUARY 20, 1988
 Scale: 1" = 100'
 BASIS OF BEARING: TRUE MERIDIAN at a point midway between the S.E. Cor. of D.L.C. No. 41, T. 38 S., R. 1 E. & the N.W. Cor. D.L.C. No. 72, T. 38 S., R. 1 W. (derived from N.O.A.A. net)

- Found 2 inch Iron Pipes per HYDE PARK SUB'D, unless otherwise shown
- Set 1/2 x 18 inch Iron Rod with Plastic Cap mhd: SWAIN L3759
- Set 1/2 x 24 inch Galvanized Iron Pipe with Plastic Plug mhd: SWAIN L3759



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ownership due to the mathematical errors which are present in both deeds of record. The remainder of the survey is as shown on the accompanying map and should be self explanatory.

BASIS OF BEARING:

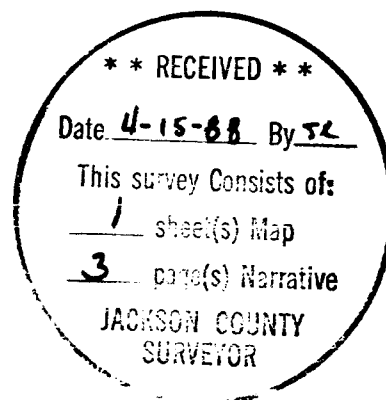
True Meridian at a point midway between the Southeast corner of Donation Land Claim No. 41, Township 38 South, Range 1 East and the Northwest corner of Donation Land Claim No. 72, Township 38 South, Range 1 West as derived from the National Oceanic and Atmospheric Administration (formerly Coast and Geodetic Survey) survey net established in 1968 and filed in the office of the Jackson County Surveyor.

January 20, 1988

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



Tax Lot 2601 38-1W25D



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In part, the 1910 County Road survey and the Northeasterly right of way line of Talent Avenue, as retraced, along with the recorded locations of both road surveys are shown on the accompanying map. The deed record location of the most Westerly corner of the James H. Storey property, as set forth in Volume 18, pages 556 and 557, would indicate that possibly whoever prepared the deed for the Storey property was utilizing the Northerly side of the traveled way of the County Road and not the true right of way location. The call for the Northerly side of the County Road was ignored and was considered a bad deed record call.

Now turning to Tax Lot 5300, Assessor's Map 38-1W-25D, I find that when the Estate of J.G. Parham and William Patton was being disposed of, no written conveyance was found to provide access to the E.K. Anderson and G.F. Billings Tracts. However, in putting the Deeds of Record together, mathematically, and taking into account the Deed Record errors of closure, a strip of land one-half chain wide was left and never conveyed to anyone by the estate of J.G. Parham and William Patton. Therefore, it is believed, by this surveyor, that it was intended, by the Estate, to provide access to three (3) tracts of land through utilization of this 33 foot wide lane. No other access would have been available, because there was only the one (1) public road which was created in Commissioners Journal, Volume 2, pages 191 through 214, October 8th, 1867. Said road survey was ordered by the court to be filed and was then recorded in Volume 1, page 110 of the Road Records on December 4, 1867.

Now, turning to Tax Lot 5300, Assessor's Map 38-1W-25D. This tax lot takes in only a portion of the total 33 foot wide "lane". This "lane" runs from the County Road of 1867, Northeasterly along the Westerly boundary line of the 'Storey' Tract and thence Easterly along the Northerly boundary line of the 'Storey' and 'G.F. Billings' Tracts into the 'E.K. Anderson' Tract by one-half chain and there terminates. Judgement No. 83-3025-NJ-2, Docketed on November 16, 1983 at page 5482, only pretains to a portion of this total "lane" which was left by the Estate of J.G. Parham and William Patton.

In retracing my client's deed, there is a call for the West boundary line of the E.K. Anderson Tract. The E.K. Anderson deed as set forth in Volume 52, page 468, dated May 6, 1889, has a gross mathematical error of closure. The departure error is in excess of ten feet. Therefore, to close my client's deed on the West boundary line of the E.K. Anderson Tract is difficult at best. It is interesting to note that my client's property, which was originally sold to G.F. Billings on the 29th of April, 1889 and recorded in Volume 19, pages 56 and 57 of the Deed Records of Jackson County, Oregon, has senior title rights over the E.K. Anderson Tract which was conveyed on the 6th day of May, 1889 and recorded in Volume 52, page 468 of the Deed Records of Jackson County, Oregon. If E.K. Anderson's deed was retraced in reverse, the distance along the Northerly boundary line of my client's property seemed to be excessive in relation to the deed record distance and would position the East boundary line East of the present Northerly and Southerly fence line. Therefore, I decided to establish the North boundary line of the James H. Storey Tract and the North boundary of the G.F. Billings Tract, as set forth in Volume 19, pages 64 and 65 of the Deed Records. Then the East boundary of that tract of land as set forth in 'Judgement No. 83-3025-NJ-2' was established. From the Northeast corner of this 33 foot strip of land, I established the East boundary line of my client's property, deed record bearing Northerly to intersect the Southwesterly right of way line of the relocated Pacific Highway (Hwy No. 99) It is interesting to note that using this procedure, the computed distance along the retraced, Northerly boundary line of the 'G.F. Billings' Tract, was only 1.48 feet shorter than that of the Deed Record. This computed position of the Easterly boundary line falls Westerly of the present Northerly and Southerly fence line. It was recommended to both the present owner of the E.K. Anderson Tract or portion thereof and my client, that it would behoove them to enter into a 'Boundary Line by Agreement' to eliminate any future questions of

