

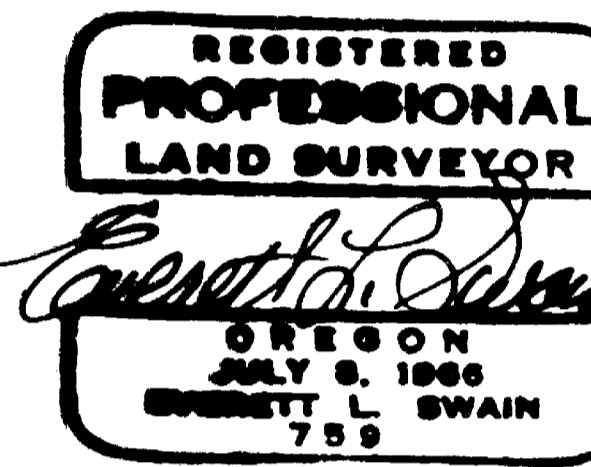
MINOR LAND PARTITION

located in
Donation Land Claim No. 41 and the
North half of Section 4 in
Township 39 South, Range 1 East of the
Williamette Base and Meridian,
JACKSON COUNTY OREGON
for
BELLE COX TRUST
c/o Belle Cox, Trustee
938 Oak Street
Ashland, Oregon 97520

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



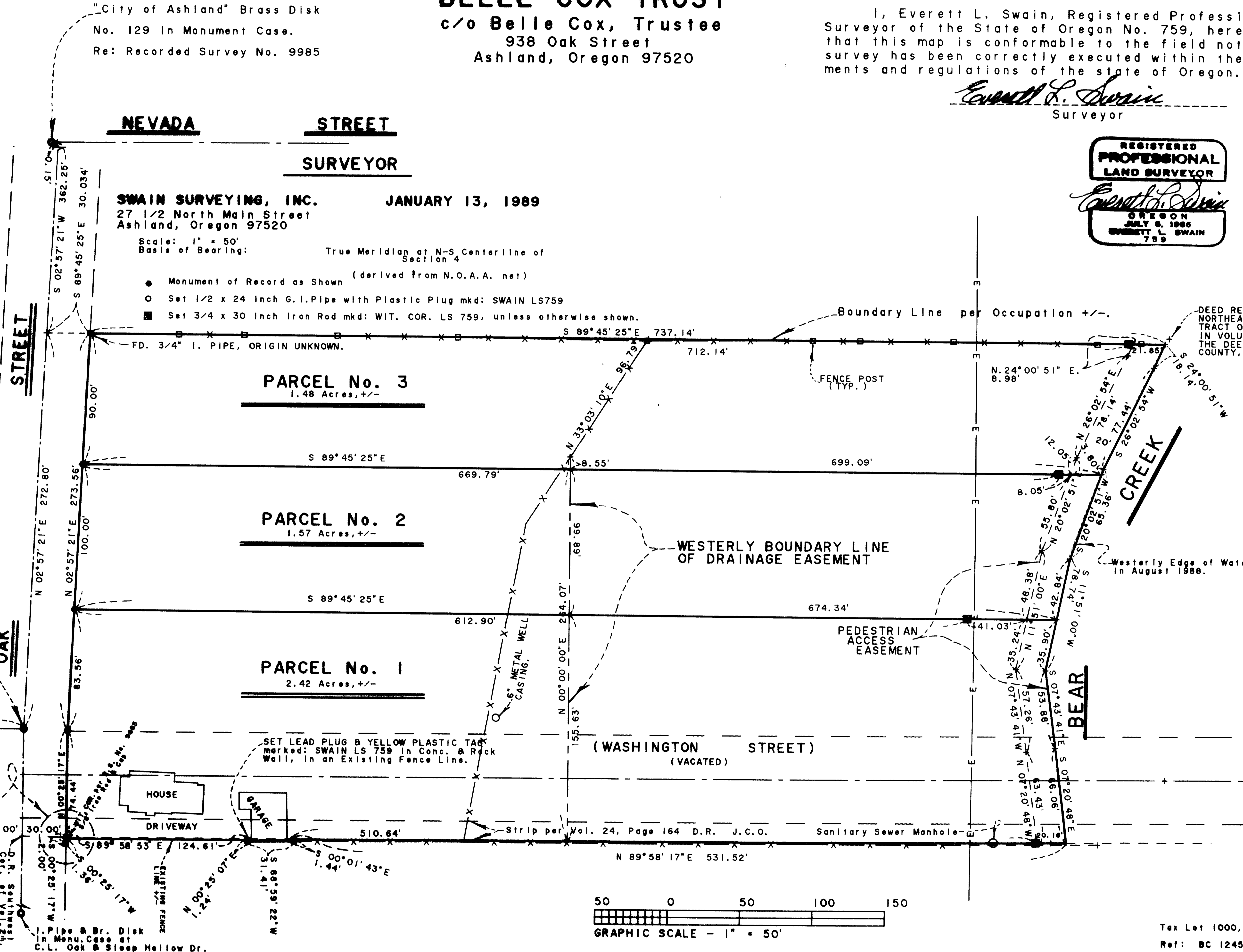
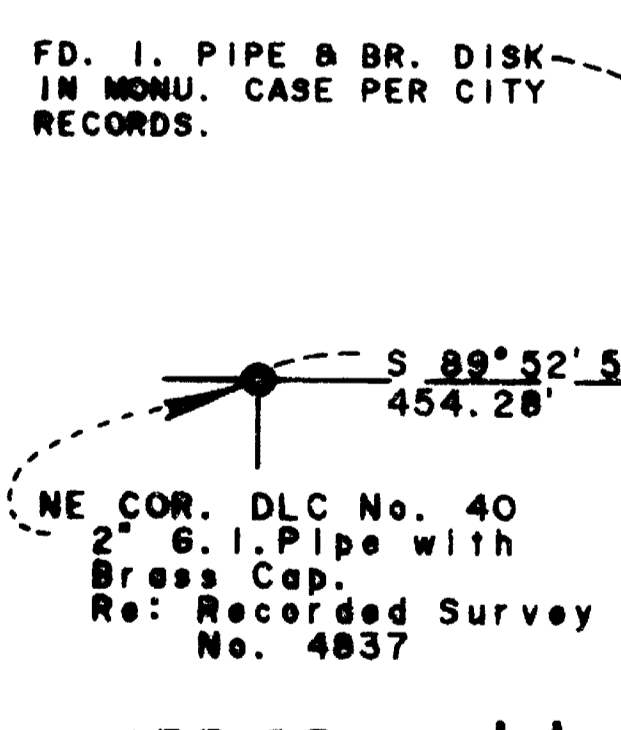
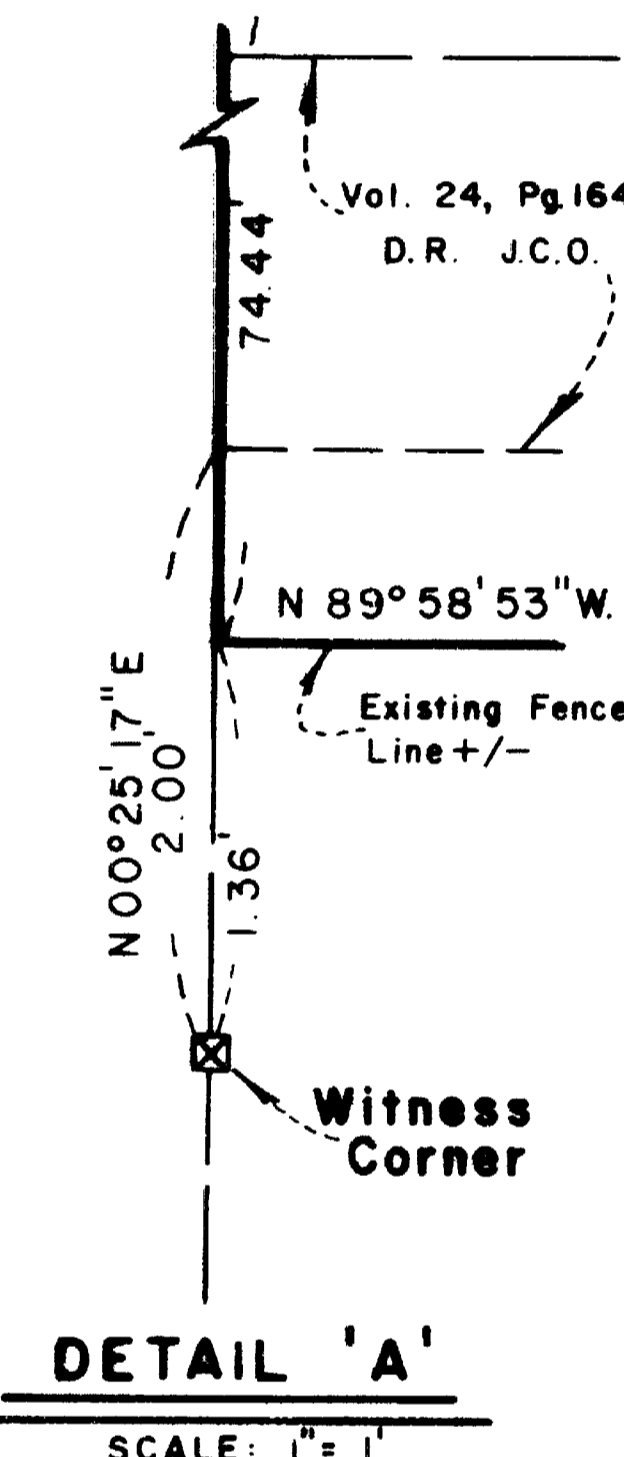
"City of Ashland" Brass Disk
No. 129 in Monument Case.
Re: Recorded Survey No. 9985

NEVADA STREET
SURVEYOR

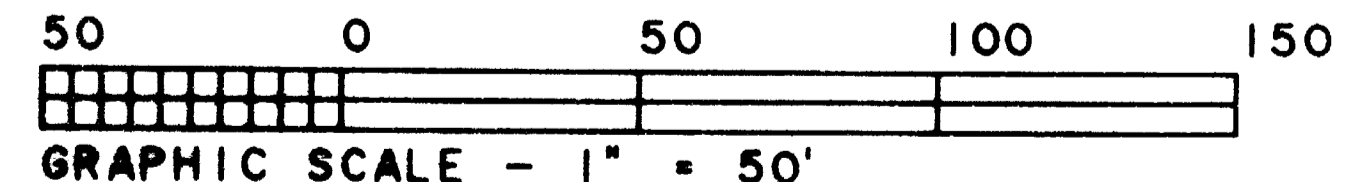
SWAIN SURVEYING, INC. **JANUARY 13, 1989**
27 1/2 North Main Street
Ashland, Oregon 97520

Scale: 1" = 50'
Basis of Bearing: True Meridian at N-S Centerline of Section 4

- Monument of Record as Shown (derived from N.O.A.A. net)
- Set 1/2 x 24 Inch G.I. Pipe with Plastic Plug mkd: SWAIN LS759
- Set 3/4 x 30 Inch Iron Rod mkd: WIT. COR. LS 759, unless otherwise shown.



DEED RECORD LOCATION OF THE NORTHEAST CORNER OF THAT TRACT OF LAND AS SET FORTH IN VOLUME 325, PAGE 25 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON, HOLDING DEED RECORD DISTANCE AS PARAMOUNT.



Tax Lot 1000, 39-1E-4
Ref: BC 12457 2
Sheet 2 of 2

BELLE COX TRUST, dated June 6th, 1968
c/o Belle Cox, Trustee
Page 2

ownership of Mary Turner. See Recorded Survey No. 9985.

At this time I would like to incorporate, by reference, the narrative of Recorded Survey No. 9985 because of its extensive explanation of some of the events that are pertinent to this survey. I believe the last known problem with Cox's record title is the omission of a course and distance along Oak Street in the legal description of the deed as now recorded.

This survey is a combination of lines of occupation with lines of deed record. Cleo Smith, daughter of Belle Cox, has been advised as to the conditions surrounding this survey. Also, Belle Cox has been advised as to the conditions surrounding this survey; as well as, this same problem being discussed with Mrs. Cox when this surveyor surveyed the Mary Turner property as set forth on Recorded Survey No. 9985, as hereinabove referred to. As mentioned hereinabove, the problems of title are being cured by a 'Suit to Quiet Title' which is presently in progress.

This survey has been in progress for better than two years. Therefore, an answer to a future question someone may have, about the time factor of this survey.

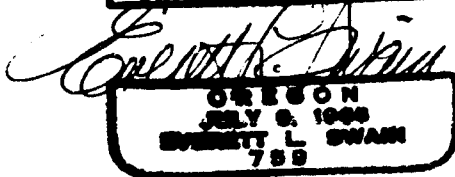
BASIS OF BEARING:

True Meridian at the North-South centerline of Section 4 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.

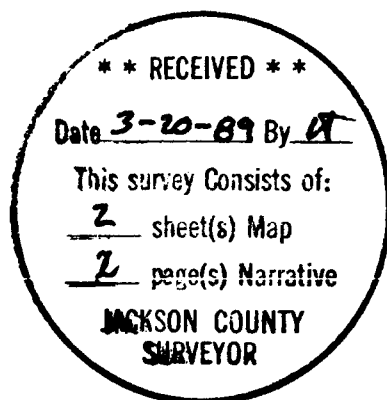
January 13, 1989
March 17, 1989

ref: BC 1245T.NAR

Swain Surveying, Inc.
27 1/2 North Main Street
Ashland, Oregon 97520



Tax Lot 1000, 39-1E-4^{8D}~~48B~~





SWAIN SURVEYING, INC.

27½ North Main Street
Ashland, Oregon 97520

11543

Survey No. _____

**SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES**

SURVEY FOR: BELLE COX TRUST, date June 6th. 1988
c/o Belle Cox, Trustee
938 Oak Street
Ashland, Oregon 97520

LOCATION: Donation Land Claim No. 41 and the North half of
Section 4, in Township 39 South, Range 1 East of the
Willamette Base and Meridian, Jackson County, Oregon.

PURPOSE: To survey the outer boundary of the Cox ownership by a
combination of deed record lines and lines of
occupation and possession, monument and describe same
for a 'Suit to Quiet Title'. Then Partition into the
three parcels, as shown on the accompanying map and as
approved by the City of Ashland Planning Commission,
the Cox ownership as referred to hereinabove. Prepare
three legal descriptions for the three parcels created.

PROCEDURE: This parcel of land is a part of the vacated P.H. and
N. Addition to the City of Ashland circ. 1890.
Eventually this plat and nearly all the streets and
alleys therein were vacated. The problems with the
title to this land are several. The first course in
the description describing this tract of land calls for
the channel of Bear Creek. This is extremely difficult
if in fact not impossible to determine the exact
location of Bear Creek at the point in time that the
original conveyance was made. Therefore, distance as
given in the deed description was utilized in order to
determine the relative position of the deed record
Northeast corner of the Cox tract to that of the
physical location of Bear Creek, as it is situated
today. Second, the vacated streets and alleys, which
were or are a part of this tract of land, were never
conveyed by the land owner who came into ownership of
these strips of land when vacated by the City of
Ashland. This leaves third party ownerships within the
tract of land that was conveyed to the Cox's. The
third problem is that the Cox deed of record does not
go Southerly of the vacated centerline of Washington
Street in the P.H. and N. Addition. The fourth problem
is created by the small strip of land adjacent to and
Southerly of the vacated Washington Street right of
way, as described and set forth in Volume 24, Page 164
of the Deed Records of Jackson County, Oregon. This
strip of land was owned by the creators of the P.H. and
N. Addition but never included in said Addition. A
portion of this land, lying Easterly of the subject
survey, was conveyed many years ago. However, that
portion of said Volume and Page lying Southerly of and
adjacent to the vacated Washington Street right of way
line, in the vicinity of the Cox ownership, is still in
existence and owned by the heirs of the Grantees of
said Volume and Page. The fifth problem is created by
Cox's garage being built slightly upon the property of
the former

MINOR LAND PARTITION

APPROVAL:

John M. Lough 2-21-89
ASHLAND PLANNING COMMISSION DATE
PART #11

located in
Donation Land Claim No. 41 and the
North half of Section 4 in
Township 39 South, Range 1 East of the
Willamette Base and Meridian,
JACKSON COUNTY OREGON
for

FILED FOR RECORD THIS THE 17 DAY OF March, 1989
AT 4:19 O'CLOCK P.M. AND RECORDED IN VOLUME 9 PAGE 21
OF "MINOR LAND PARTITIONS" IN JACKSON COUNTY, OREGON.

Kathleen J. Baker County Clerk
John G. Baker Deputy

BELLE COX TRUST

c/o Belle Cox, Trustee
938 Oak Street
Ashland, Oregon 97520

WATER RIGHTS STATEMENT:

See Document No. 89-05492 of the
Official Records of Jackson County,
Oregon.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that I

Belle Cox, Trustee for the BELLE COX TRUST, dated June 6th, 1988, state that the BELLE COX TRUST is the owner of the lands as shown hereon as Parcels No. 1, 2, and 3 and that I Belle Cox, Trustee, on behalf of the BELLE COX TRUST have caused the same to be surveyed and mapped as shown hereon. I do hereby dedicate to the City of Ashland a 'PEDESTRIAN ACCESS EASEMENT' over and across Parcels No. 1, 2 and 3 as shown hereon with the following conditions: 1) The public shall not be allowed to utilize said 'Pedestrian Access' until the City, at city expense, improves said Access to adequately provide for foot and bicycle traffic. 2) That any improvements made by the City of Ashland or its representatives, to the 'Pedestrian Access Easement' shall include the installation of a fence along the entire westerly easement line which will restrain the public from trespassing upon the property of the BELLE COX TRUST. The type and kind of fence is to be agreed to by both parties to this agreement or otherwise the 'Pedestrian Access Easement' shall not be utilized. I, Belle Cox, Trustee for the BELLE COX TRUST, dated June 6th, 1988, further dedicate to the City of Ashland a drainage way easement over and across Parcels 1, 2 and 3 as shown hereon reserving unto the BELLE COX TRUST, the right to utilize any portion of the drainage way, EXCEPT the 'Pedestrian Access Easement', for any and/or all types of agricultural purposes that is felt suitable by the dedicator herein. This shall not include the construction of any buildings without prior City approval.

We certify that pursuant to authority granted to us by the Ashland Planning Commission in open meeting of FEB. 11 1987, this map is hereby approved. Dated this 22 day of FEBRUARY, 1989.

Neil Benson
President

John Ferguson
Secretary

Examined and approved this 2th day of February 1989.

James H. Olson
City Surveyor

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Everett L. Swain
OREGON
JULY 9, 1906
EVERETT L. SWAIN
759

** RECEIVED **
Date 3/20/89 By
This survey consists of:
2 sheet(s) Map
2 page(s) Narrative
JACKSON COUNTY
SURVEYOR

IN WITNESS WHEREOF, I Belle Cox, Trustee,

on behalf of the BELLE COX TRUST, dated June 6th, 1988, do hereby set my hand and seal this the 2 day of February, 1989.

BY: *Belle Cox Trustee*
Belle Cox, Trustee

STATE OF OREGON
County of Jackson ss
February 8 A.D., 1989.

Personally appeared the above named Trustee, Belle Cox acting on behalf of the BELLE COX TRUST, dated June 6th, 1988, does hereby acknowledge the foregoing instrument to be her voluntary act and deed.

Before me:

Winona G. Swain
Notary Public for Oregon
My Commission expires 6/20/90

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