

MINOR LAND PARTITION

located in
Northeast Quarter of Section 15, Township 39 South, Range 1 East of the
Willamette Base and Meridian,
JACKSON COUNTY OREGON

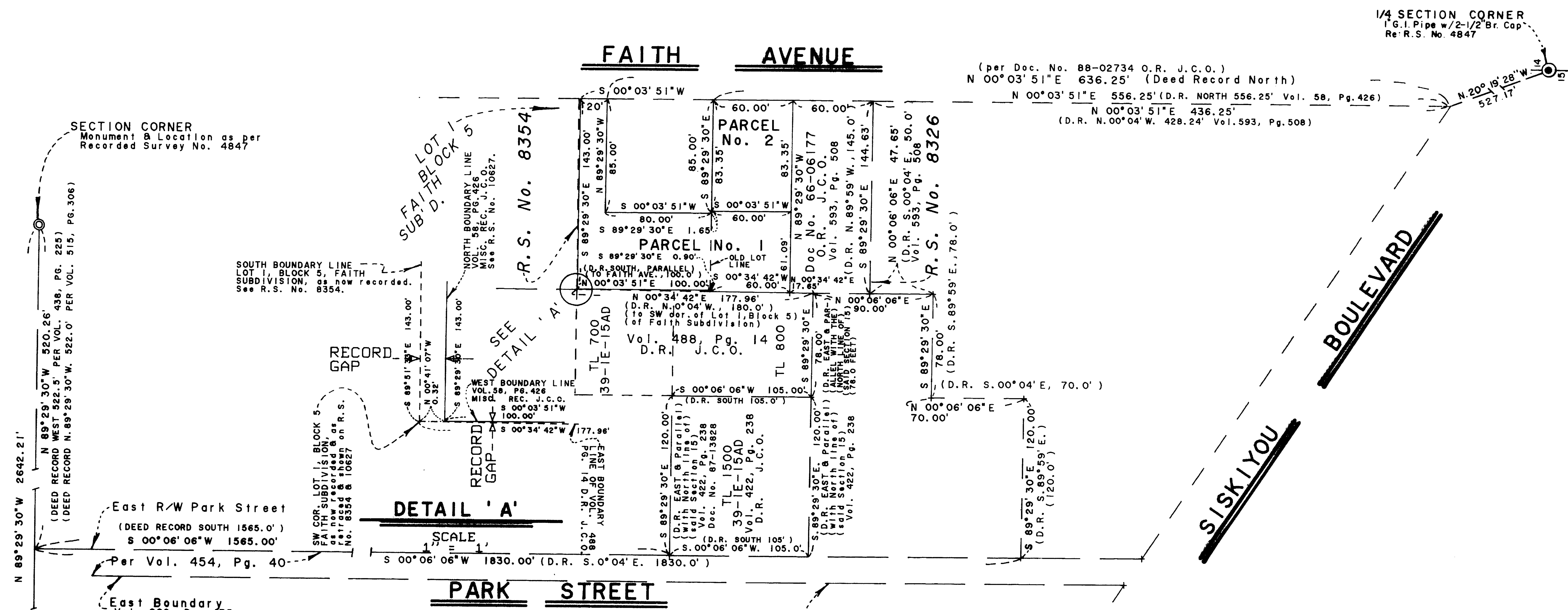
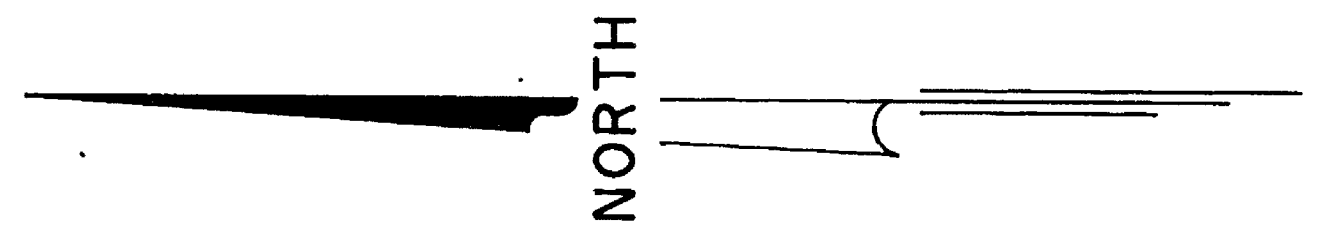
for
GLEND A GALABA
791 Faith Avenue
Ashland, Oregon 97520

FILED FOR RECORD THIS THE 20 DAY OF November, 1989
AT 3:18 O'CLOCK P.M. AND RECORDED IN VOLUME 10 PAGE 4
OF "MINOR LAND PARTITIONS" IN JACKSON COUNTY, OREGON.

APPROVAL:

John M. [Signature] 11-17-89
ASHLAND PLANNING COMMISSION DATE
PA # 89-226

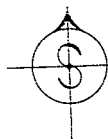
Kathleen D. Beckett County Clerk
Glenda E. Bartlett Deputy



**** RECEIVED ****
Date 11-30-89 By [Signature]
This survey consists of:
2 sheet(s) Map
3 page(s) Narrative
JACKSON COUNTY SURVEY

REGISTERED PROFESSIONAL LAND SURVEYOR
[Signature]
OREGON
JULY 8, 1969
EVERETT L. SWAIN
769

Tax Lots 500 & 601, 39-1E-15AD
Job: GG 1362T
File: GG 1362TI



SWAIN SURVEYING, INC.

27½ North Main Street
Ashland, Oregon 97520

11789

Survey No. _____

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

- SURVEY FOR:** Glenda Galaba
791 Faith Avenue
Ashland, Oregon 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 adjust the boundary line between Tax Lot 500 and Tax
Lot 601, Assessor's Map 39-1E-15AD per clients request.
Monument the new Parcel configurations and prepare
three (3) legal descriptions.
- PROCEDURE:** Utilizing previous survey control, established while
executing Recorded Survey No. 10627, proceeded to
establish new control in the subject areas where
ties to existing improvements and previously monumented
parcel corners were to be made.

It was discovered that a new fence had been built along the Southerly side of the flag drive to Parcel No. 1 and in the general vicinity of the Easterly boundary line of said Parcel, of which the Southerly 58 feet, more or less, had been constructed by my client or someone hired by her. There was an existing fence in the vicinity of the Easterly boundary line of Tax Lot 700 which appears to be completely removed from said Parcel, where tied for location. In recovering the previously set monument at the South-Southeast corner of Parcel No. 2 of that Minor Land Partition filed for record on the 17th day of July, 1986 and recorded in Volume 7, Page 14 of "Minor Land Partitions" in Jackson County, Oregon, it was apparent that this pipe had been tampered with by a person or persons unknown at this time. After tying this monument to our control, it was found that someone had in fact moved this monument Easterly approximately 3 feet. See map. It is believed by this Surveyor that this was a calculated and deliberate move on someone's part as the fence which is now in place and as tied for location, is incredibility close to being parallel with the parcel boundary as originally established by this Surveyor on that Minor Land Partition recorded in Volume 7, Page 14 of "Minor Land Partitions" in Jackson County, Oregon. The client utilized this existing fence and then extended new fence construction Southerly as shown on the accompanying map before the condition of the above discussed pipe monument was known. Therefore, the reason for the fence location in relation to the established boundary line between Parcel No. 1 and 2. There is a partial fence along the Southerly boundary line of Parcels No. 1 and 2, which is somewhat removed to the North from the boundary line as monumented. At the Northwest corner of Parcel No. 1 of this survey, the 3/4 inch pipe monument, as previously set, was not

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

Survey No. _____
Page 2

recovered due to fence construction. Dismantling of the fence would have been required in order to know if the monument was or was not in fact still in its previously established position. It was therefore decided to establish a Witness Corner in lieu of tearing the fence apart.

There has been a ROAD MAINTENANCE AGREEMENT established between my client and the present owners of Tax Lot 700, Assessor's Map 39-1E-15AD. I find two things that I believe should be brought to the attention of my client and the public. First, in the **RECITALS** of said Maintenance Agreement under subsection 1., it states and I quote: 'Whereas, on October 7, 1986 an easement for ingress and egress to Property A was granted across the north 20 feet of Property B by an instrument recorded as No. 86-20008 of the records of Jackson County, Oregon.' end quote. According to Exhibit "A" attached to said Agreement, Property A is Tax Lot 700, Assessor's Map #39-1E-15AD. Property B is described on Exhibit "B" as Tax Lot 601, Assessor's Map #39-1E-15AD and includes an 'Ingress and Egress' easement over and across a portion of Tax Lot 600, Assessor's Map #39-1E-15AD. In reviewing Document No. 86-20008 as hereinabove referred to, I do not find where this document conveys an 'ingress and egress' easement to Property A as hereinabove mentioned. An 'ingress and egress' easement is still retained by William C. Cowger but has never been passed to the owners of, their heirs, assigns or successors in interest of Tax Lot 700 as hereinabove referred to. Second, there exist a deed record gap between Tax Lot 700 and Tax Lot 601. This deed record gap is very small, but nevertheless exists. Therefore, from a technical standpoint, an easement for 'ingress and egress' cannot be affected. However, Tax Lot 700, Assessor's Map 39-1E-15AD does have legal access onto Park Street as set forth in Document No. 86-00130 and Document No. 87-13828 of the Official Records of Jackson County, Oregon.

Now, looking at the Westerly boundary line of Parcel No. 1, it is revealed that the total boundary line is made up of two different tax lots. First, the Westerly boundary line of that tract of land as set forth in Volume 58, Page 426 of the Miscellaneous Records of Jackson County, Oregon is not contiguous to that tract of land as set forth in Volume 488, Page 14 of the Deed Records of Jackson County, Oregon. Second, that tract of land as set forth in Volume 515, Page 306 of the Deed Records of Jackson County, Oregon overlaps the Easterly boundary line of that tract of land as set forth in Volume 488, Page 14 of said Deed Records. Therefore, it was decided by this Surveyor and confirmed by my client, that the deed record overlap should be eliminated by closing Tax Lot 500 upon the Easterly boundary line of that tract as set forth in Volume 488, Page 14 of said Jackson County Deed Records.

Other information is as shown on the accompanying map.

**SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES**
Survey No. _____
Page 3

BASIS OF BEARING:

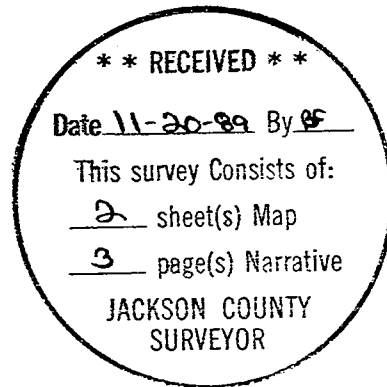
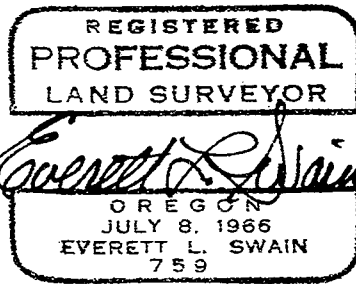
True Meridian at the North-South centerline of Section 15 as derived from the National Oceanic and Atmospheric Administration (formerly Coast and Geodetic Survey) survey net established in 1968 and filed in the office of the Jackson County Surveyor.

NOVEMBER 13, 1989

ref: GG1362T.NAR

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

Tax Lot 500 & 601, 39-1E-15AD

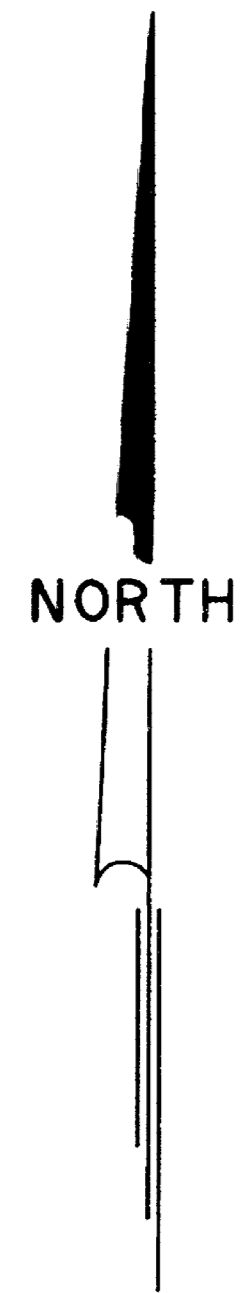


MINOR LAND PARTITION

located in
Northeast Quarter of Section 15, Township 39 South, Range 1 East of the
Willamette Base and Meridian,
JACKSON COUNTY OREGON

for
GLENDA GALABA

791 Faith Avenue
Ashland, Oregon 97520



WATER RIGHTS STATEMENT:

See Document No. 89-27214 of the
Official Records of Jackson County,
Oregon.

SURVEYOR

SWAIN SURVEYING, INC.

NOVEMBER 13, 1989

27 1/2 North Main Street
Ashland, Oregon 97520

SCALE: 1" = 20'

BASIS OF BEARING:

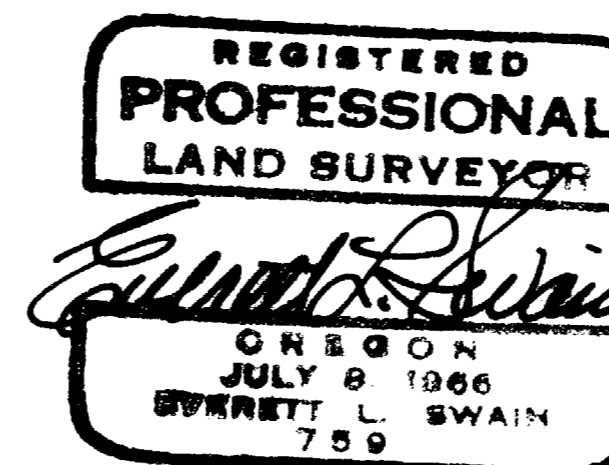
TRUE MERIDIAN at the
N-S Centerline of Sec. 15
(derived from N.O.A.A. net)

- Found 3/4 Inch Iron pipes per Recorded Survey No. 10627 unless otherwise shown.
- Set 1/2 x 24 Inch galvanized Iron pipe tagged SWAIN LS 759
- ⊗ Set 1 x 24 Inch galvanized Iron pipe with Red Plastic Plug marked WIT. COR. RLS 759
- ⊠ Record location of monument as set and shown on Recorded Survey No. 10627

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



Tax Lots 500 and 601, 39-1E-15AD
Job: GG 1362T
File: GG 1362T3

TAX LOT 700
39-1E-15AD

ROAD MAINTENANCE AGREEMENT
Re: Document No. 88-02733, recorded
February 11, 1989 D.R. J.C.O.

Ingress & Egress Easement
William C. Cowger, Grantor
William C. Cowger, Grantee
Re: Document No. 86-20008
O.R. J.C.O.

Public Utility Easement
per Minor Land Partition
PA 86-024 & Recorded in Vol.
7, Pg. 14, MLP J.C.O.

Access Easement
as per MLP
Recorded in Vol.
7, Pg. 14 MLP J.C.O.

Fd. damaged. Replaced
with 1/2 x 24 inch galvanized
Iron pipe tagged
SWAIN LS 759

Storm Drain &
Irrigation Easement per
Minor Land Partition
PAB-024 and Recorded
in Vol. 7 at Pg. 14
of Minor Land Partitions
in J.C.O.

Parcel of Land per
Volume 488, Page 14
D.R. J.C.O.
'SENIOR TITLE'

PARCEL No. 1
0.256 Acre +/-

DEED RECORD
GAP

0.5' +/-
FENCE

Old Lot Line
S 89°29'30"E
3.10' +/-

Fd. top damaged. Monument has been
removed from its original position
and re-set by a person or persons
unknown at this time.

ORIGINAL
TL 500
39-1E-15AD
'JUNIOR TITLE'
Volume 515, Pg. 306
D.R. J.C.O.

PARCEL No. 2
0.115 Acre +/-

Wire Fence bears
West, 0.3' +/-

Wide Drainage Way
bears Easterly, 2.5'

Fence Cor. bears
North 2.0' &
East, 1.8' +/-

