

Date: February 26, 1993

PARTITION PLAT NO. P-20-1993

LAND PARTITION (92-41-MP) Located in D.L.C. No. 49, SW 1/4, Sec. 11, T.38S., R.2W., W.M. Jackson County, Oregon

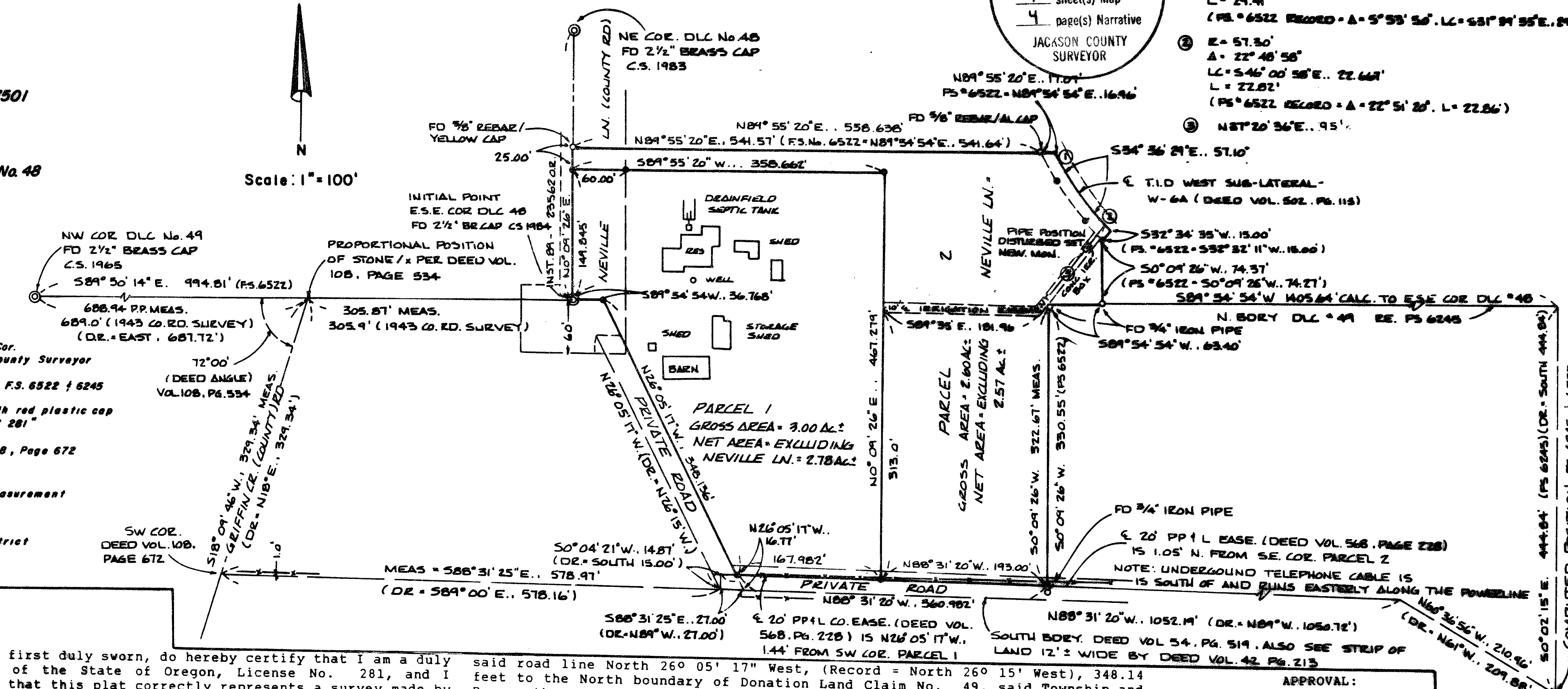
RECEIVED Date 3-11-93 By GE This survey consists of 1 sheet(s) Map 4 page(s) Narrative JACSON COUNTY SURVEYOR

- 1 E = 286.50' A = 5° 52' 52" LC = 531' 40' 05" E. 29.988' L = 29.41' (PS 6522 RECORD - A = 5° 53' 50" LC = 531' 39' 35" E. 29.475') 2 E = 57.30' A = 22° 48' 58" LC = 546' 00' 58" E. 22.668' L = 22.82' (PS 6522 RECORD - A = 22° 51' 20" L = 22.86') 3 N 87° 20' 36" E. 95.1'

Survey by Boyden Surveyors 108 Mistletree St. Medford, Oregon 97501

Basis of Bearings East Boundary DLC No. 48 Re: F.S. No. 6522

Scale: 1" = 100'



- Legend Found Brass Dist D.L.C. Cor. Re-Established by the County Surveyor Found monument set on F.S. 6522 & 6245 Set 5/8" x 24" Rebar with red plastic cap stamped "BOYDEN RLS 281" D.R. = Deed Record Volume 108, Page 672 C.S. = County Surveyor P.R. Meas. = Proportional Measurement Existing Fence Line T.I.D. = Talent Irrigation District F.S. = Filed Survey

SURVEYOR'S CERTIFICATE:

I, Mark E. Boyden, being first duly sworn, do hereby certify that I am a duly Registered Land Surveyor of the State of Oregon, License No. 281, and I further do hereby declare that this plat correctly represents a survey made by me and that I have correctly surveyed and marked with the proper monuments the tract of land hereon shown, and that said plat and survey conform with the Ordinances of the County of Jackson and the Statutes of the State of Oregon, and that the following is an accurate survey and title description of the outside boundaries of said tract: Beginning at the Initial Point, being a 1" galvanized iron pipe with 2 1/4" brass cap located at the East-Southeast corner of Donation Land Claim No. 48, Township 38 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence along the East boundary of said Claim, North 00° 09' 26" East, 174.845 feet to a 5/8" rebar with yellow cap found for the Northwest corner of tract described in Instrument No. 88-10309, Official Records of said County; thence along the North boundary of said tract, North 89° 55' 20" East, 541.57 feet (Record = North 89° 54' 54" East, 541.64 feet) to a found 5/8" iron pin with aluminum cap; thence continue North 89° 55' 20" East, 17.07 feet (Record = North 89° 54' 54" East, 16.96 feet) to the centerline of the Talent Irrigation District's "West Sub-Lateral-W-6A" easement as described in Volume 502, Page 113 of the Deed Records of said County; thence along said easement centerline 29.41 feet along the arc of a 286.50-foot radius curve left (the long chord bears South 31° 40' 03" East, 29.395 feet) (Record = 29.49 feet along a 286.50-foot radius curve left, the long chord bears South 31° 39' 35" East, 29.475 feet); thence along said easement centerline, South 34° 36' 29" East, 57.10 feet; thence along said easement centerline, South 46° 00' 58" East, 22.67 feet (Record = 22.86 feet along the arc of a 57.30-foot radius curve left, the long chord bears South 46° 00' 58" East, 22.67 feet) (Record = 22.86 feet along the arc of a 57.30-foot radius curve left, the central angle is 22° 51' 20"); thence South 32° 34' 35" West, 15.00 feet (Record = South 32° 32' 11" West, 15.00 feet) to a 5/8" rebar with red plastic cap set on the East boundary of tract described in Instrument No. 88-10309, Official Records; thence South 09° 09' 26" West, 74.37 feet (Record = 74.27 feet) to a 3/4" iron pipe found for the most-Easterly Southeast corner of said tract; thence South 89° 54' 54" West, 63.40 feet to a 3/4" iron pipe found; thence South 09° 09' 26" West along the East boundary of said tract (as the same was found to be monumented), 322.67 feet to a 5/8" rebar with red plastic cap set on the Southerly boundary of tract described in Volume 108, Page 672 of the Deed Records of said County; thence along the Southerly boundary of said tract, North 88° 31' 20" West (Record = North 89° West), 360.98 feet to intersect the Northeastly right-of-way line of a road as described in Volume 108, Page 672 said Deed Records; thence along T.L.No. 382WII-3103

said road line North 26° 05' 17" West, (Record = North 26° 15' West), 348.14 feet to the North boundary of Donation Land Claim No. 49, said Township and Range; thence along said claim boundary South 89° 54' 54" West, 36.768 feet (Record = 39.88 feet) to the Initial Point, the Point of Beginning.

SUBJECT TO the rights of the public in and to that portion lying with the County right-of-way of Neville Lane (formerly Griffin Creek Road).

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, that Deborah L. Thornally and Joseph W. Heenehan II are the owners in fee simple of the lands described in the "Surveyor's Certificate" hereon. We declare that we have caused the same to be partitioned and platted into Parcels 1 and Parcel 2 as shown hereon. We do hereby create a 10-foot wide irrigation pipeline easement for the exclusive use on Parcel 1 as shown hereon.

IN WITNESS WHEREOF, we have set our hands and seals this day of March, 1993.

Deborah L. Thornally Joseph W. Heenehan II

State of Oregon) ss County of Jackson) MARCH 3, A.D., 1993

Personally appeared the above-named Deborah L. Thornally and Joseph W. Heenehan II, wife and husband, and acknowledged the foregoing instruments to be their voluntary act and deed.

BEFORE ME: Sheryl Branscum NOTARY PUBLIC - OREGON My Commission Expires 1-15-94

REGISTERED PROFESSIONAL LAND SURVEYOR MARK E. BOYDEN 281

I HEREBY CERTIFY THAT THIS IS A PHOTOCOPY OF THE ORIGINAL PLAT

APPROVAL: Jackson County Planning Director

Examined and approved by the Planning Director of the Department of Planning and Development, Jackson County, Oregon.

Dated this 4th day of March, 1993

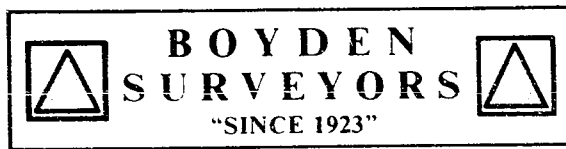
Carol Parker for K. Log Planning Director Planning Action No.: 92-41-MP

Jackson County Surveyor Examined and approved this 11 day of March, 1993.

FILED FOR RECORD THIS THE 11 DAY OF March, 1993, AT 9:53 O'CLOCK A.M. AND RECORDED AS PARTITION PLAT NO. P-20-1993 OF "RECORD OF PARTITION PLATS" IN JACKSON COUNTY, OREGON. (INDEX VOLUME 4 PAGE 20)

Deputy Clerk County Surveyor File No. 13401

WATER RIGHTS STATEMENT There are no water rights appurtenant to this Partition according to information from the Jackson County Watermaster's Office.



MARK E. BOYDEN
R.P.L.S. ORE. 281
108 MISTLETOE ST., MEDFORD, OREGON 97501
PHONE (503) 773-6000

SURVEY NO. 13401

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

SURVEY FOR: DEBORAH L. THORNALLY
&
JOSEPH W. HEENEHAN II
3635 GRIFFIN CREEK ROAD
MEDFORD, OREGON 97501

SURVEY BY: BOYDEN SURVEYORS
108 MISTLETOE STREET
MEDFORD, OREGON 97501

LOCATION: D.L.C. NO. 49, SW ¼, SEC. 11,
T. 38 S., R. 2. W., W.M.
JACKSON COUNTY, OREGON

BASIS OF BEARINGS: Most-Easterly-East boundary of
D.L.C. No. 48, per Filed Survey No.
6522.

DATE: FEBRUARY 25, 1993

PURPOSE: To monument, describe and prepare a
partition plat of the Thornally
property recorded in Instrument No.
88-10309, County Records, as
approved by the County Planning
Department "Minor Partition File
92-41-MP" on November 9, 1992.

PROCEDURE: The overall property had been
partially monumented on Filed Survey Nos. 6245 and No. 6522,
with the present ownership description derived from Filed
Survey No. 6522. Said survey monumentation (FS 6522) was not
complete, as the Southwesterly property line was labelled
"This boundary line has not been determined by this survey".
The South boundary of the current deed description did not
qualify which deed boundary the property abutted, merely
giving note of the record bearing of "North 89° 00' West."
Further research revealed two important conveyances that
affect the South and the Southwesterly boundary of the
subject premises, namely Deed Volume 54, Page 519 and Deed
Volume 108, Page 672. The Southeast corner of Deed Volume
54, Page 519 is described 15.28 feet South from the Southeast
corner of Deed Volume 108, Page 672 and the Southwest
corner of Deed Volume 54, Page 519 is described

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0.28 feet South from the Southwest corner of Deed Volume 108, Page 672, with both deeds closing along Griffin Creek County Road at "North 18° East, 329.34 feet." Volume 108, Page 672 apparently intended to widen the original 12-foot ± private road to a 27-foot ± width along the Southerly and Southwesterly boundaries of the subject premises. No additional research has been made at this time to determine whether this additional 15-foot ± strip has been deeded for public road purposes.

Field ties were made to monuments set on said Filed Survey No. 6522, and computations were made to correlate said deeds with Filed Survey No. 6522. The deed descriptions both computed an error-of-closure of 16 + feet, mostly in the "North-South" direction. Study of the map on filed Survey 6522 indicated some confusion as to which deed the subject property abuts. However it appears that the survey ran Westerly deed record angles and distances from the Southeast corner of Deed Volume 108, Page 672 and let all of the error-of closure fall on the property fronting Griffin Creek Road. Ties were made to existing fence lines as shown. It was determined by utilizing the "Broken Boundary Method" of computation between the Southeast and Southwest corners of said Deed Volume 108, Page 672, that the fence line near the southwest corner of said Deed Volume 108, Page 672 and the private road fences near the Southerly Southwest corner of the subject premises fit reasonably well for both sides of the private road for a 27-foot road width.

Filed Survey No. 239 made an attempt to establish property lines in this area, but as pointed out on Filed Survey No. 6522, failed to establish the true North boundary of D.L.C. 49. This positioned the SE corner of Deed Volume

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108, Page 672 considerably too far South. However the position established for the Southwest corner of Deed Volume 108, Page 672 was much closer to our proposed position than that indicated on Filed Survey No. 6522. Survey No. 239 set certain monuments to control that portion lying along the southwesterly boundary of subject property, but calculations do not substantiate these positions with respect to the Deed. In a subsequent deed, see Instrument No. 71-04892, the call from the Southwest corner of Deed Volume 108, Page 672 recites "South 88° 54' East (22.85 feet + 540.0 feet, more or less)" to the West line of said private road running Northwesterly. This distance is a far cry from the deed distance of 578.16 feet and indicates the surveyor was unsure of the positioning of this private road.

Filed Survey No. 8044 was then next analyzed for a possible solution to this elusive boundary. Even though the large deed error-of-closure was not utilized at Griffin Creek Road as per Filed Survey No. 6522, the approximate 2-foot difference on Griffin Creek Road and the positioning of the most-Northerly-Northeast corner of Parcel No. 1 are questionable and were not considered applicable to the subject survey. The presence of the private road between the properties, with properties lying south of said private road being tied to the W. S. W. corner of D.L.C. No. 49 didn't require a more careful consideration of said Filed Survey No. 8044 and subsequent Filed Survey No. 12513, as the same may affect the subject premises. The Southwesterly boundary of the subject property was then determined South 88° 31' 25" East, 578.97 feet plus 27.00 feet (Deed Vol. 108, Page 672, Record = South 89° East, 578.16 feet + 27.00 feet) from the

SURVEY NO. 13401

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

Southwest corner thereof and deed record bearing of North 26° 15' West was corrected clockwise 0° 09' 46" to agree with the old deed bearings of "East" on the D.L.C. line between the Northwest corner of D.L.C. No. 49 and the East-Southeast corner of D.L.C. No. 48.

The original County road width for Griffin Creek Road (now shown on this survey as Neville Lane) is considered to be 60-feet in width by the County Department of Public Works even though the original road petition described in Road Records Volume 2, Page 201, in 1890 does not give a specific width.

This survey shows said road to be 60 feet wide instead of the 40 foot width shown on Filed Survey No. 6522. The procedure of locating the centerline of the T.I.D. West sub-lateral-W-6A from right-of-way Deed Volume 502, Page 113 was the same procedure utilized by Filed Survey No. 6522. On the deed tie from the Northwest corner of D.L.C. No. 49 "East along the North line of said claim", the deed bearings were rotated 0° 09' 46" in a clockwise direction. Because of this deed record control and that this survey bearings and distances varied slightly from those reported on Filed Survey No. 6522, the irrigation centerline was moved Easterly approximately 0.10 feet. New monuments were set on the Southwesterly right-of-way line of the T.I.D. lateral as shown. Note: The former canal is now covered and in pipe. The monuments set on the original survey lines of Filed Survey No. 6522 were used for control, with the corrected exterior boundaries monumented as shown on the plat to accompany this report.

**** RECEIVED ****
Date 3-11-93 By BF
- This survey Consists of:
1 sheet(s) Map
9 page(s) Narrative
JACKSON COUNTY
SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Mark E. Boyden
OREGON
NOV. 9, 1951
MARK E. BOYDEN
281
EXPIRES 12/31/93