

APPROVAL:

John M. Luff
ASHLAND PLANNING DEPARTMENT
P.A. #95-043
DATE 11-8-95

Land Partition Survey
PARTITION PLAT No. P-88-1995

RECORDING
FILED FOR RECORD THIS THE 28 DAY OF November, 1995
AT 8:08 O'CLOCK A.M. AND RECORDED AS PARTITION PLAT No. P-88-1995
OF THE RECORDS OF PARTITION PLATS IN JACKSON COUNTY, OREGON
INDEX VOLUME 6, PAGE 88

located in
**Donation Land Claim No. 41 in the
Northwest One/Quarter and the Northeast One/Quarter of Section 4
Township 39 South of Range 1 East of the Willamette Base & Meridian**
JACKSON COUNTY OREGON

Kathleen S. Beckett
County Clerk
Sam Kelly
Deputy

COUNTY SURVEYOR File No. 14747

APPROVAL

Examined and Approved this 31 day of October, 1995.

James H. Olson
City Surveyor

CLEO M. SMITH, TRUST dated the 8th day of September, 1994
c/o Cleo M. Smith, Trustee

938 Oak Street
Ashland, Oregon 97520

All taxes, assessments, or any other charges as required by
OREGON REVISED STATUTE 92.095 have been paid as of
the 15th day of November, 1995.

Mark Jenne, Deputy
Assessor, Department of Assessment

15 Nov 95
Date

We certify that pursuant to authority granted to us by the Ashland Planning
Commission in open meeting MAY 9, 1995 this map is hereby approved.
Dated this 9th day of November, 1995.

H. Serwatus
Tax Collector

11-15-95
Date

SURVEYOR'S CERTIFICATE

I, Martin C. Stewart, registered Professional Land
Surveyor of the State of Oregon No. 2057, hereby certify
that this plat is conformable to the field notes and
the survey has been correctly executed within the require-
ments and regulations of the State of Oregon and the
the following is an accurate description of the boundary
lines of the parent tract of land as set forth hereon:---

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, that

Cleo M. Smith, trustee (and hereinafter referred to as 'I') of the CLEO M. SMITH TRUST, dated the 8th day of September, 1994, (hereinafter referred to as the 'TRUST') state that the TRUST is the owner in fee simple of the real property as set forth in the Surveyor's Certificate. On behalf of the TRUST, I have caused the real property to be surveyed, partitioned and mapped as set forth hereon. On behalf of the TRUST, I hereby dedicate to the City of Ashland that Public Utility Easement, over, across and through that portion of Parcel No. 1, as shown hereon. TCI Cablevision, their assigns and/or successors in interest are hereby granted the right to install and maintain TV cable service over, across and through that Public Utility Easement, as shown hereon, as long as it does not interfere with the installation and maintenance of the City of Ashland's utilities. I do hereby make and establish a Private Sanitary Sewer and Storm Water Easement over, across and through Parcel No. 3, as shown hereon, for the exclusive use of Parcel No. 2. On behalf of the TRUST, I hereby make and establish an ACCESS WAY easement, over and across Parcel No. 1, as shown hereon, to provide 'ingress and egress' for Parcels No. 1, 2, and 3 but not limited exclusively thereto. Further, I reserve unto the City of Ashland, the right to dedicate this ACCESS WAY easement to public use as a street, only after the following condition has been met by the City of Ashland: 1) Final approval has been granted to the TRUST, its heirs, assigns and/or successors in interest, by the City of Ashland for the further partitioning of Parcel No. 2 of that MINOR LAND PARTITION filed for record the 17 day of March, 1989 and recorded at page 21 in Volume 9 of "Minor Land Partitions" in Jackson County, Oregon. Maintenance of the roadway, within the ACCESS WAY, shall be shared equally by Parcels No. 1, 2, and 3 as long as this ACCESS WAY remains a private easement. No parking of any type of vehicle shall be permitted within the ACCESS WAY easement. Public and Private emergency vehicles shall have the right of 'INGRESS AND EGRESS' over and across said ACCESS WAY at all times. Any additional covenants, conditions, restrictions, easements and/or roadway maintenance conditions shall be set forth in the deeds conveying these parcels of land to the new real property owners.

IN WITNESS WHEREOF, I have set my hand and seal this 30 day of October, 1995

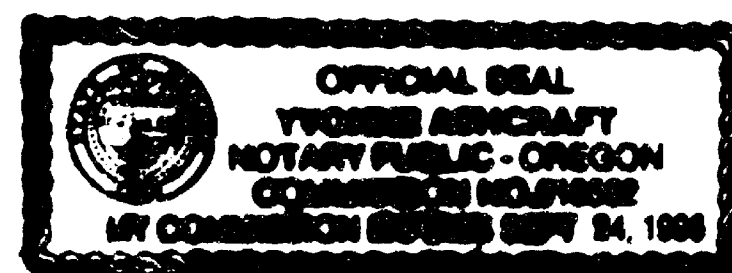
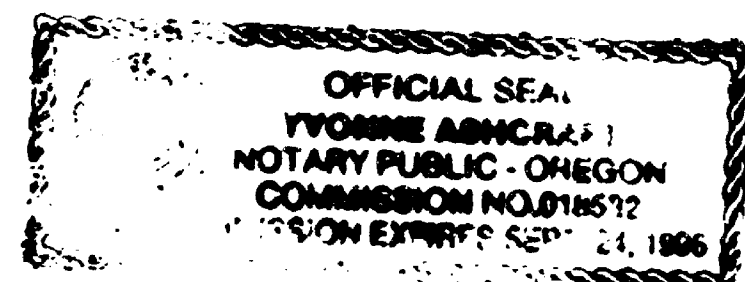
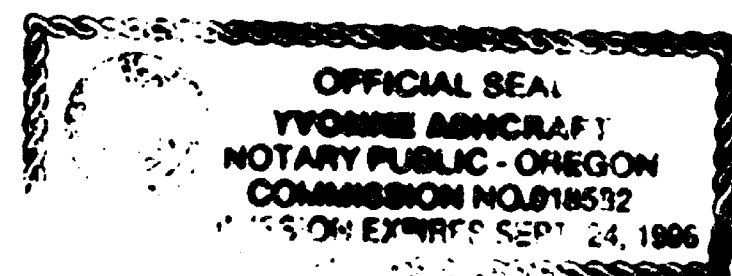
Cleo M. Smith, Trustee
Cleo M. Smith, Trustee

STATE OF OREGON

County of Jackson) ss
10-30 A.D. 1995

Personally appeared the above named Cleo M. Smith, Trustee of the Cleo M. Smith Trust, dated the 8th day of September, 1994,, and acknowledge the foregoing instrument to be her voluntary act and deed.

Before me: *Yvonne Ashcraft*



REGISTERED
PROFESSIONAL
LAND SURVEYOR

Martin C. Stewart

OREGON
JULY 15, 1983
MARTIN C. STEWART
2057

Surveyor's Registration
Renewal Date is December 31, 1996

A tract or parcel of land situated in Donation Land Claim No. 41 in the North One/Half of Section 4, Township 39 South of Range 1 East of the Willamette Base and Meridian in Jackson County, Oregon and being more fully described as follows:
COMMENCING at a found 2 inch galvanized iron pipe with a 3 inch diameter brass cap situated at the Northeast Corner of Donation Land Claim No.40, of said Township and Range; THENCE South 89 degrees 52 minutes 54 seconds East (record: South 89 degrees 52 minutes 57 seconds East) for a distance of 454.19 feet (record: 454.28 feet) to a found iron pipe and a 3 inch brass disk situated at the centerline angle point for Oak Street; THENCE North 02 degrees 57 minutes 17 seconds East along the Oak Street centerline for a distance of 272.80 feet to a point which bears North 89 degrees 45 minutes 26 seconds West (record: North 89 degrees 45 minutes 25 seconds West) for a distance of 30.05 feet (record: 30.034 feet) from a found 3/4 inch iron pipe situated in the Easterly right of way line for Oak Street; THENCE South 89 degrees 45 minutes 26 seconds East (record: South 89 degrees 45 minutes 25 seconds East) for a distance of 30.05 feet (record: 30.034 feet) to a found 3/4 inch iron pipe situated in the Easterly right of way line of Oak Street and being the true INITIAL POINT OF BEGINNING; THENCE leaving said Easterly right of way, South 89 degrees 45 minutes 26 seconds East (record: South 89 degrees 45 minutes 25 seconds East) for a distance of 712.15 feet (record: 712.14 feet) to a found 3/4 inch iron rod WITNESS CORNER monument; THENCE continuing South 89 degrees 45 minutes 26 seconds East (record: South 89 degrees 45 minutes 25 seconds East) for a distance of 25.00 feet to the Westerly edge of the waters of Bear Creek as shown in that Minor Land Partition filed for record the 17th day of March, 1989 and recorded in Volume 9 Page 21 of "MINOR LAND PARTITIONS" in Jackson County, Oregon; THENCE continuing along said Westerly edge of the waters of Bear Creek as follows: South 24 degrees 00 minutes 51 seconds West for a distance of 18.18 feet (record: 18.14 feet) to an angle point; THENCE South 26 degrees 02 minutes 54 seconds West for a distance of 77.44 feet to an angle point; THENCE South 20 degrees 02 minutes 51 seconds West for a distance of 3.76 feet (record: 3.80 feet) to the Southeast corner of Parcel No.3 of said Minor Land Partition; THENCE leaving said Westerly edge of water, North 89 degrees 45 minutes 24 seconds West (record: North 89 degrees 45 minutes 25 seconds West) along the South boundary line of said Parcel No.3 for a distance of 29.33 feet to a 3/4 inch iron rod WITNESS CORNER monument; THENCE continuing along said boundary line, North 89 degrees 45 minutes 24 seconds West (record: North 89 degrees 45 minutes 25 seconds West) for a distance of 669.78 feet (record: 669.79 feet) to a found 1/2 inch galvanized iron pipe situated in the Easterly right of way line of Oak Street; THENCE continuing along said right of way line, North 02 degrees 57 minutes 17 seconds East along said Easterly right of way for a distance of 89.98 feet (record: 90.00 feet) to the true INITIAL POINT OF BEGINNING.

Together with and subject to: covenants, conditions, restrictions, maintenance agreements and easements as well as those apparent on the land.

I hereby certify that this plat is a CAD
generated duplicate of the original.

Martin C. Stewart
SURVEYOR

file: 91e4cd-2.ord & 91e4cd2a.pll
job: 91e4bd-2-JN-999 sheet One of Two

tax lot 1000 of assessor's map 39s-1e-4bd

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Martin C. Stewart

OREGON
JULY 15, 1983
MARTIN C. STEWART
2057

Surveyor's Registration
renewal date is
December 31, 1996

STEWART LAND SURVEYS

6370 Highway 66
Ashland, Oregon 97520
phone (503) 488-2831

NARRATIVE of SURVEY
to COMPLY with PARAGRAPH 209.250 of the
OREGON REVISED STATUTES

14747

SURVEY No. _____

SURVEY FOR: Cleo M. Smith, trustee
938 Oak Street
Ashland, Oregon 97520

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

PURPOSE: To create a Partition Plat

DATE: September 27, 1995

BASIS of BEARINGS: True Meridian at the North-South Centerline of Section
4 of said Township and Range as derived from the 1968
Jackson County Surveyor's control network which
utilized National Oceanic and Atmospheric
Administration geodetic survey monuments.

PROCEDURE: A thorough research of the public records revealed many
surveys on file with Jackson County Surveyor that had established or
retraced the centerline of Oak Street. Using a previously established
control traverse these street centerline monuments as well as relevant
right of way monuments were found to be within exceptional positional
tolerances. Outer boundary monuments were recovered and existing
improvements were tied relative to this control network.
There were notable differences between the found survey monument at
the Northeast corner of Donation Land Claim No. 40 and the found
centerline survey monument No. 128. The surveyor of record indicated
that the probable source for the differing length of the line results
from a theoretical location rather than the found or re-established
monument. The theoretical location was used in a search for M.L.
McCall's square iron bar which was established in the late 1800's
(Surveyor McCall being the first Official Ashland City Surveyor). The
surveyor of record provided this information to Surveyor Burrell who
subsequently recovered and re-established this location perpetuating
the Northeast Corner of Donation Land Claim No. 40 and many other
survey locations of Surveyor McCall's early surveys. This appears to
amount to less than 0.1' between a calculated location from a very
early and accurate survey and the subsequently recovered and re-
established monument.

The monument for the 1/4 corner common to Sections 33 & 4 is a
found 2.5" bronze disk set flush in concrete and marked: "T38-39S R1E,
33/4, 1/4 COR. CS 1969". This corner was not visited in the
performance of this survey and was calculated from a previous field
survey.

file: nrtv-999.wps

** RECEIVED **
Date 11-28-95 By BS
This survey consists of:
2 sheets of Map
1 page of Narrative
JACKSON COUNTY
SURVEYOR

SURVEYOR

**Land Partition Survey
PARTITION PLAT No.**

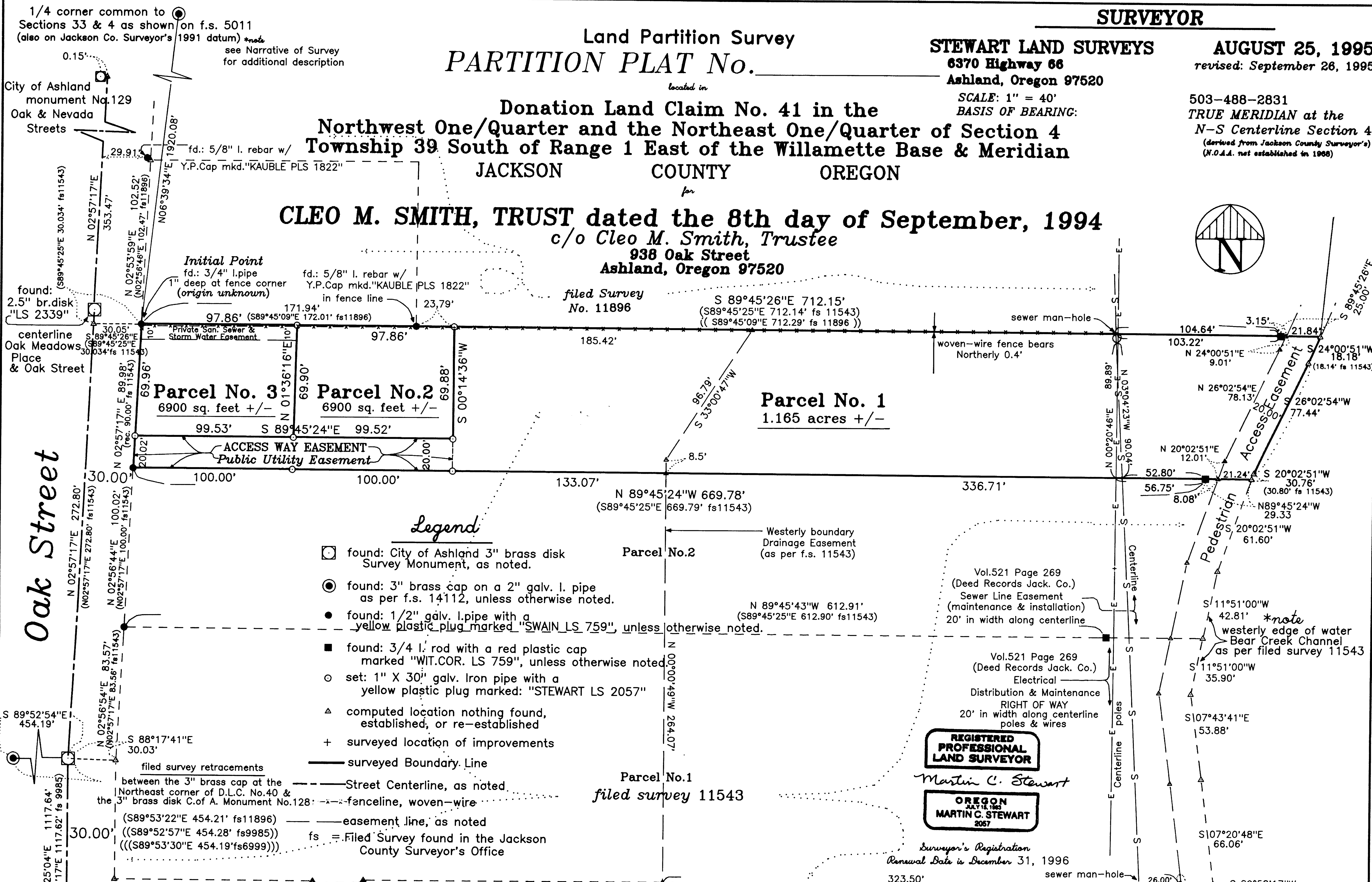
STEWART LAND SURVEYS
6370 Highway 66
Ashland, Oregon 97520

AUGUST 25, 1995
revised: September 28, 1995

503-488-2831
TRUE MERIDIAN at the
N-S Centerline Section 4
(derived from Jackson County Surveyor's
(N.O.A. not established in 1988))

located in
**Donation Land Claim No. 41 in the
Northwest One/Quarter and the Northeast One/Quarter of Section 4
Township 39 South of Range 1 East of the Willamette Base & Meridian**
JACKSON COUNTY OREGON

CLEO M. SMITH, TRUST dated the 8th day of September, 1994
c/o Cleo M. Smith, Trustee
938 Oak Street
Ashland, Oregon 97520



- Legend**
- found: City of Ashland 3" brass disk Survey Monument, as noted.
 - found: 3" brass cap on a 2" galv. l. pipe as per f.s. 14112, unless otherwise noted.
 - found: 1/2" galv. l. pipe with a yellow plastic plug marked "SWAIN LS 759", unless otherwise noted.
 - found: 3/4 l. rod with a red plastic cap marked "WIT.COR. LS 759", unless otherwise noted.
 - set: 1" X 30" galv. Iron pipe with a yellow plastic plug marked: "STEWART LS 2057"
 - △ computed location nothing found, established, or re-established
 - + surveyed location of improvements
 - surveyed Boundary Line
 - Street Centerline, as noted.
 - - - - - fence line, woven-wire
 - - - - - easement line, as noted
 - fs = Filed Survey found in the Jackson County Surveyor's Office

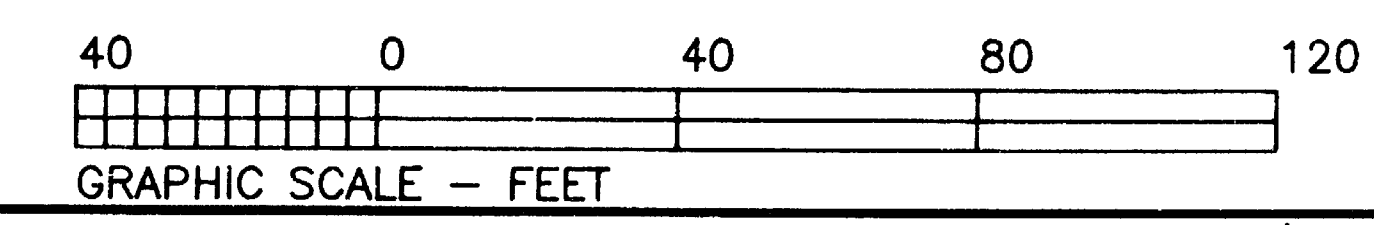
I hereby certify that this plat is a CAD generated duplicate of the original.

Martin C. Stewart
SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
JULY 18, 1983
MARTIN C. STEWART
2057

Surveyor's Registration
Renewal Date is December 31, 1996



91e4cd-2.crd
file: 91e4cd-2.pl1&pl2
job: 91e4bd-2-JN-999

1/4 corner common to Sections 33 & 4 as shown on f.s. 5011 (also on Jackson Co. Surveyor's 1991 datum) *note see Narrative of Survey for additional description

City of Ashland monument No. 129 Oak & Nevada Streets

found: 2.5" br. disk "LS 2339"

centerline Oak Meadows Place & Oak Street

Oak Street

S 89°52'54"E 454.19'

3" brass disk City of Ashland survey monument No. 127

tax lot 1000 assessor's map 39s-1e-4bd