# SCENIC HEIGHTS SUBDIVISION

LOCATED IN THE NORTHEAST 1/4,
SECTION 8, TOWNSHIP 39 SOUTH, RANGE 1 EAST
WILLAMETTE MERIDIAN, CITY OF ASHLAND
JACKSON COUNTY, OREGON

FOR

JOHN W. BARTON, M.D. 2940 NOVA DRIVE ASHLAND, OREGON 97520 HILLERY B. ROBERTS & ANTOINETTE M. ROBERTS
131 CHURCH STREET
ASHLAND. OREGON 97520

DECLARATION

THAT WE, JOHN W. BARTON M.D., HILLERY B. ROBERTS, AND ANTOINETTE M. ROBERTS ARE OWNERS IN FEE SIMPLE OF THE LANDS DESCRIBED IN THE "SURVEYOR'S CERTIFICATE" ON THIS PLAT; THAT WE HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO STREETS, LOTS AND OPEN SPACE AS SET FORTH; THAT THIS PLAT IS A CORRECT REPRESENTATION OF SCENIC HEIGHTS SUBDIVISION; AND THAT WE DO HEREBY DEDICATE TO THE CITY OF ASHLAND ALL STREET RIGHTS—OF—WAY, AND ALL CONSERVATION, SLOPE, WATER LINE, AND PUBLIC UTILITY EASEMENTS

AS SHOWN, AND THAT WE DO HEREBY GRANT, BARGAIN, SELL, AND CONVEY TO THE CITY OF ASHLAND THE OPEN SPACE AS SHOWN.

AS SHOWN, AND THAT WE DO HEREBY GRANT, BARGAIN, SELL, AND CONVEY TO THE CITY OF ASHLAND THE OPEN SPACE AS SHOWN 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. FOR THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF THIS SUBDIVISION, SEE JACKSON COUNTY OFFICIAL RECORDS DOCUMENT

JOHN W. BARTON, M.D.	Hilley B Roberts HILLERY B. ROBERTS	ANTOINETTE M. ROBERTS	OFFICIAL SEAL JULIE ANNE THOMAS NOTARY PUBLIC-OFFICIAN COMMISSION NO. 042708 MY COMMISSION EXPIRES JUN. 21, 1999
STATE OF OREGON ) COUNTY OF JACKSON) S.S.		Juli Anne Thom	as
ON THIS 8 DAY OF MAN	1996 PERSONALLY APPEARED B	NOTARY  FEORE ME THE ABOVE NAMED INDIVIDUALS	4

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EXAMINED AND APPROVED THIS 8th DAY OF January , 1996.

Several F. Several F.

WE CERTIFY THAT, PURSUANT TO AUTHORITY GRANTED TO US BY THE ASHLAND PLANNING COMMISSION IN THE OPEN MEETING OF OCTOBER 11, 1994, THE ABOVE PLAT IS HEREBY APPROVED BY THE ASHLAND PLANNING COMMISSION

DATED THIS 8 DAY OF JANUARY 1996.

PRESIDENT SECRETARY

ACKNOWLEDGING THE FORGOING INSTRUMENT TO BE THEIR VOLUNTARY AND FREE ACT AND DEED.

### AFFIDAVIT of DECLARATION APPROVAL

FOR FEE OWNER, VENDOR OR THE MORTGAGE OR TRUST DEED HOLDER, COMPLYING WITH O.R.S 92.075 (4), SEE DOCUMENT NO. 96-00012, 96-00013, AND 96-00014, OFFICIAL RECORDS, JACKSON COUNTY, OREGON

> /Gunt D. Slenschler ASSESSOR, DEPARTMENT OF ASSESSMENT

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS REQUIRED BY O.R.S. 92.095 HAVE BEEN PAID AS OF 10, 1996

Carol applicate, Deputy
TAX COLLECTOR

#### MARQUESS & ASSOCIATES, INC.

1120 EAST JACKSON

MEDFORD, OREGON

(503) 772-7115

DATE: 01-05-96

MAI JOB NO. 1-3880.55\PLAT1.DWG

I DO HEREBY CERTIFY THAT THIS IS A CAD GENERATED DUPLICATE OF THE ORIGINAL PLAT.

SURVEYOR, PLS NO. 2464

### RECORDING

Kathern S. Brokett Cherye Chageris
COUNTY CLERK DEPUTY

OR	ORD	ER	THE	COUN	YTI	COURT	APPRO	OVING	THIS	PLAT	SEE	VOLUME	 PAGE	 0
OUI	YTY	COM	MIS	SIONE	RS ·	JOURNA	L OF I	PROCE	EDING	SS.				

**DEPUTY** 

## SURVEYOR'S CERTIFICATE

COUNTY CLERK

I, Stuart M. Osmus, a duly Registered Surveyor in the State of Oregon, being duly sworn, do hereby certify that I have correctly surveyed and marked with proper monuments as provided by law the tract of land shown hereon and that this plat is a correct representation of the same; the following being an accurate description of the boundary lines:

Commencing at the intersection of the north line of Nutley Street in the City of Ashland, Jackson

County, Oregon, with the west line of Donation Land Claim No. 40 in Township 39 South,

COUNTY SURVEYOR FILE NO. \_\_\_\_\_

Range 1 East of the Willamette Meridian in Jackson County, Oregon, said intersection being North 00° 04' 40" East, 409.70 feet from the Southwest corner of said Donation Land Claim No. 40; thence along said west line of Donation Land Claim No. 40, North 00° 04' 40" East, 220.50 feet; thence parallel with said north line of Nutley Street, North 89° 54' 23" West, 190.00 feet to the POINT OF BEGINNING and the Initial Point of Scenic Heights Subdivision; thence continuing parallel with the north line of Nutley Street, North 89° 54' 23" West, 489.15 feet to the easterly line of the City Ditch as constructed, thence northerly, along said easterly line, 23.78 feet along a curve which is concave to the west, having a radius of 50.00 feet, a central angle of 2715'03", and a long chord which bears North 08'54'43" West, 23.56 feet to a point which is 42.00 feet easterly of the westerly Ditch Road right-of-way as shown on filed Survey No. 7465 in the Jackson County, Oregon, Surveyor's Office; thence, parallel with said westerly Ditch Road right—of—way, North 10°49'58" East, 39.12 feet to said easterly line of the City Ditch; thence northerly along said easterly line the following courses and distances; thence North 29°57′25″ East, 24.50 feet; thence 33.42 feet along a curve to the left having a radius of 50.00 feet, a central angle of 38°17′32″, and a long chord of 32.80 feet which bears North 10°48′39″ East; thence North 08°20′08″ West, 32.06 feet; thence 24.46 feet along a curve to the right, having a radius of 50.00 feet, a central angle of 28°01′56", and a long chord of 24.22 feet which bears North 05°40′51" East; thence North 19°41′49" East, 21.52 feet; thence North 08°27′24" West, 60.96 feet; thence North 24°21′07" East, 11.79 feet to a point which is 42.00 feet easterly of said westerly Ditch Road right-of-way; thence, parallel with said westerly Ditch Road right-of-way, 21.94 feet along a curve which is concave to the northwest, having a radius of 142.00 feet, a central angle of 08°51′11", and a long chord which bears North 57°35′17" East, 21.92 feet to said easterly line of the City Ditch; thence along said easterly line the following courses and distances; thence North 68°08'18" East, 23.92 feet; thence North 39°06'08" East, 46.76 feet; thence North 26°22'29" East, 38.28 feet to a point which is 21.00 feet southeasterly of the centerline of the Ditch Road right-of-way as described in Volume 109 Page 259. Deed Records, Jackson County, Oregon; thence, parallel with and 21.00 feet distant from said centerline, the following courses and distances; thence North 38°31'00" East, 104.13 feet; thence North 18°08'00" West, 171.98 feet to a point on the west line of Parcel No. 1 of a Minor Land Partition recorded January 22, 1976 in Volume 1, Page 34 of "Minor Land Partitions' in Jackson County, Oregon; thence along said west line of Parcel No. 1, North, 48.15 feet to a 5/8" iron pin at the northwest corner of said Parcel No. 1; thence North, 110.20 feet to a point on the southerly line of Logan Drive, Phase II, a Planned Unit Development, filed August 6, 1992 in Volume 17, Page 21, Plat Records, Jackson County, Oregon; thence along said southerly line of Logan Drive Phase II, North 88° 45' 00" East, 419.79 feet to a 3" brass capped monument at the Initial Point of Logan Drive Phase I, a Planned Unit Development; thence along the southerly line of said Logan Drive Phase I and the extension thereof, North 88° 52' 31" East, (Record is North 88° 45' 00" East) 119.02 feet to a point on the westerly line of Scenic Drive, said point being 20.00 feet westerly of the west line of said Donation Land Claim No. 40; thence along said westerly line of Scenic Drive, South 00° 04' 40" West, 119.69 feet to a 5/8" iron pin at the Initial Point of a Partition filed as Partition Plat No. P-5-1996 in the Jackson County, Oregon, Clerk and Recorder's Office; thence along the northerly line of said Partition, the following courses and distances: 33.04 feet along the arc of a curve which is concave to the southwest, having a radius of 20.96 feet, a central angle of 90° 18'20" and a long chord of 29.72 feet which bears North 45° 04' 30" West; thence South 89° 46' 20" West, 60.98 feet; thence 78.15 feet along the arc of a curve to the right having a radius of 73.00 feet, a central angle of 61° 20' 27" and a long chord of 74.47 feet which bears North 59° 33' 26" West; thence 6.68 feet along the arc of a curve to the left, having a radius of 37.00 feet, a central angle of 10° 21' 03", and a long chord of 6.68 feet

which bears North 34° 03' 45" West; thence leaving said northerly line, South 00° 04' 40" West,

382.05' feet to the Initial Point of Scenic Heights Subdivision and the Point of Beginning.

331.35 feet to the southerly line of a Minor Land Partition recorded January 22, 1976 in Volume 1, Page 34 of "Minor Land Partitions" in the Jackson County, Oregon, Clerk and Recorder's Office; thence along said southerly line, North 89° 55' 35" West, 19.94 feet; thence South 00° 04' 40" West,

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Expires 12-31-96

OREGON
JULY 25, 1990
STUART M. OSMUS

SURVEYOR PLS NO. 2464

SHEET 1 OF 3

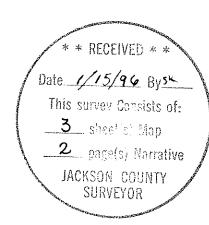
BASIS OF BEARING:

The reference line for bearing control for this survey was taken from monuments found on the west line of Donation Land Claim No. 40 as shown hereon, and as referenced on filed Survey No. 10361 in the Office of the Jackson County Surveyor. The basis of bearing for Survey No. 10361 is the true meridian at the north-south centerline of Section 8 as derived from the N.O.A.A. net established in 1968 and filed in the Office of the Jackson County Surveyor.

DATE:

January 5, 1996

MARQUESS & ASSOCIATES, INC. 1120 East Jackson Street P. O. Box 490 Medford, Oregon 97501





Stuart M. Osmus Professional Land Surveyor

#### SURVEY NARRATIVE TO COMPLY WITH CHAPTER 209 OREGON REVISED STATUTES

SURVEY FOR: J

John W. Barton, M.D. 2940 Nova Drive Ashland, OR 97520

Hillery B. Roberts & Antoinette M. Roberts

131 Church Street Ashland, OR 97520

LOCATION:

NE 1/4 Section 8, Township 39 South, Range 1 East, Willamette

Meridian, City of Ashland, Jackson County, Oregon.

PURPOSE:

To survey and set monuments for Scenic Heights Subdivision

**EQUIPMENT:** 

Lietz Set 4 Total Station

PROCEDURE:

A portion of this subdivision was previously surveyed by this firm as part of a Boundary Line Adjustment. The location of the northerly line of this subdivision was discussed in the narrative for that survey and the narrative for RS 11483. Another portion of this subdivision was surveyed as part of a partition which was filed as RS 6255. Most of the monuments from this survey were found, although the southwest corner of the partition appears to have been removed during construction of a culvert. Volume 109, Page 259, Deed Records, Jackson County, Oregon, the centerline of a thirty foot wide right-of-way for the Ditch Road is described. The City has requested a minimum right-of-way width of forty-two feet for the Ditch Road, so this additional width is being dedicated by a separate document and comprises much of the westerly boundary of the subdivision. The current deed, which describes the southerly portion of the subdivision, contains two parts. The first part includes the land to the west line of Government Lot 2, Section 8, the second part includes the land to the north-south centerline of the northeast quarter of Section 8. The narrative for RS 11483 gives a brief look at the confusion caused by different surveys of these two lines, but concludes that they are, nevertheless, the same line. Research by Jim Parrish, Title Examiner for Jackson County Title Company, indicates that there does not seem to be any evidence of intent to create a gap between the two descriptions by the use of different terminology to describe the common boundary. Also, in this area there does not seem to be any evidence of occupation to either of these two described lines. Therefore, I have considered these descriptions to be abutting and have shown them as such on this survey.

Also, the westerly line of the southerly part of the subdivision is described as the east line of the City Ditch. I was unable to locate any record description of the City Ditch in this area, so the centerline of the existing ditch was located and a right-of-way width of ten feet from this centerline was used. This approximated the "as used" ditch width.

