

APPROVAL

Bill Nash 1/21/98
Ashland Planning Department
PA #97-093 Property Line Adjustment Date

LAND PARTITION SURVEY

PARTITION PLAT NO. P-2-1998
Located in the N.W. 1/4 of Section 14.
T.39 S., R.1 E., W.M. City of Ashland
Jackson County, Oregon

RECORDING

Filed for record this 22 day of January 19 98 at
2:01 o'clock P.M. and recorded as Partition Plat No. P-2-1998
in "Record of Partition Plats" of Jackson County, Oregon.
Index Volume 9 Page 2

APPROVAL:

EXAMINED AND APPROVED this 20th day of January 1998

James H. Wilson
City Surveyor

for

Eagle Construction
186 Morninglight
Ashland, OR 97520

Kathleen S. Beckett Glenda E. Bartlett
County Clerk Deputy
County Surveyor File No. 15634

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT ANDREA SHAPIRO, MOUNTAIN PARK DEVELOPMENT, LLC, AND BERGS & BOND PROPERTIES, ARE THE OWNERS IN FEE OF THE REAL PROPERTY SHOWN HEREON, MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND HAVE PARTITIONED THE SAME INTO THE PARCELS AS SHOWN HEREON AND HEREBY DEDICATES TO THE PUBLIC FOR PUBLIC USE THOSE EASEMENTS SHOWN ON SHEET 2 LABELED CONSERVATION & NATURAL DRAINAGEWAY EASEMENT AND PUBLIC UTILITY EASEMENT (PUE), WITH THE CONDITION THAT TCI CABLEVISION, ITS SUCCESSORS OR ASSIGNS IN INTEREST ARE GRANTED THE RIGHT TO USE SAID PUE FOR THE PLACEMENT AND MAINTENANCE OF CABLE TV LINES AS LONG AS THESE LINES DO NOT INTERFERE WITH THE MAINTENANCE OF CITY OF ASHLAND UTILITIES. WE DO HEREBY ESTABLISH THE IRRIGATION EASEMENT SHOWN ON SHEET 2 FOR THE MAINTENANCE OF EXISTING IRRIGATION FACILITIES. ANDREA SHAPIRO DOES HEREBY ESTABLISH THE BUILDING AND EAVES ENCROACHMENT EASEMENT OVER PARCEL 2 AS SHOWN ON SHEET 2 FOR THE BENEFIT OF PARCEL 1.

TAX STATEMENT

ALL TAXES, FEES ASSESSMENTS or other charges as required by ORS 92.095 have been paid as of January 22nd 1998.

Colleen Stanford 01-22-98 Ron Lindsey Deputy 1-22-1998
Tax Collector Date Assessor Date

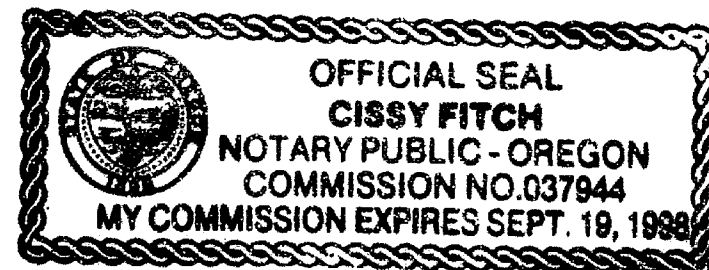
Andrea Shapiro ANDREA SHAPIRO
Doug Neuman DOUG NEUMAN, Managing Member
MOUNTAIN PARK DEVELOPMENT, LLC
Merrill J. Bergs MERRILL J. BERGS, Partner
BERGS & BOND PROPERTIES
Matthew R. Bond MATTHEW R. BOND, Partner
BERGS & BOND PROPERTIES

STATE OF OREGON)
COUNTY OF JACKSON) ss.

PERSONALLY APPEARED THE ABOVE NAMED ANDREA SHAPIRO AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HER VOLUNTARY ACT AND DEED.

DATED THIS 13th DAY OF JANUARY 19 98

BEFORE ME: Cissy Fitch
NOTARY PUBLIC OF OREGON.

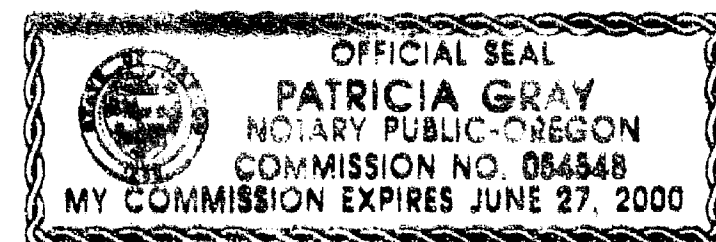


STATE OF OREGON)
COUNTY OF JACKSON) ss.

PERSONALLY APPEARED THE ABOVE NAMED DOUG NEUMAN AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED AND FURTHER ACKNOWLEDGED THE FOREGOING INSTRUMENT WAS SIGNED ON BEHALF OF MOUNTAIN PARK DEVELOPMENT, LLC.

DATED THIS 14th DAY OF January 19 98

BEFORE ME: Patricia Gray
NOTARY PUBLIC OF OREGON.

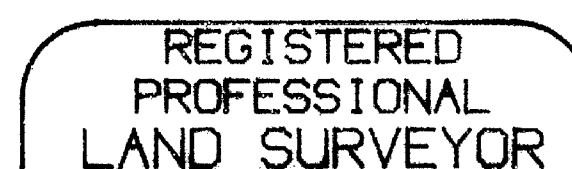
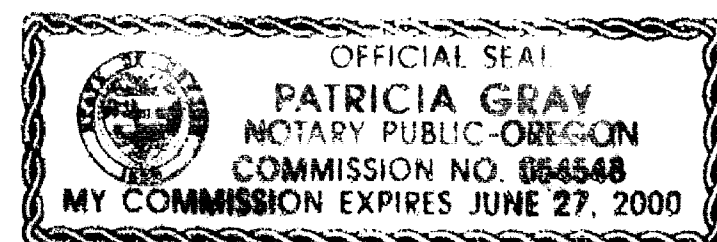


STATE OF OREGON)
COUNTY OF JACKSON) ss.

PERSONALLY APPEARED THE ABOVE NAMED MERRILL J. BERGS AND MATTHEW R. BOND AND ACKNOWLEDGED THE FOREGOING INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED AND FURTHER ACKNOWLEDGED THE FOREGOING INSTRUMENT WAS SIGNED ON BEHALF OF BERGS & BOND PROPERTIES.

DATED THIS 19th DAY OF January 19 98

BEFORE ME: Patricia Gray
NOTARY PUBLIC OF OREGON.



JAMES E. HIBBS
JULY 17, 1988
2234
Renewal Date 6-30-99

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

James E. Hibbs
SURVEYOR

SURVEY BY:

L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
816 WEST EIGHTH STREET
MEDFORD, OREGON 97501
PHONE: (541) 772-2782



L.J. FRIAR AND ASSOCIATES

CONSULTING LAND SURVEYORS

816 WEST 8TH STREET
MEDFORD, OREGON 97501

LARRY J. FRIAR
JAMES E. HIBBS

15634

PHONE/FAX
541-772-2782

NARRATIVE
Page 2

WEST FROM THE NORTH-SOUTH CENTERLINE OF SECTION 14. AGAIN THE INTENT FOR THE EAST LINE OF TOLMAN CREEK ROAD WAS 30 FEET EAST OF THE WEST LINE OF THE E. 1/2 OF THE E. 1/2 OF THE N.W. 1/4. BY HOLDING THE RIGHT OF WAY OF TOLMAN CREEK ROAD ESTABLISHED BY EDMONDS SUBDIVISION, MR. EZELL COMPLETELY IGNORED THE INTENTS OF NOT ONLY VOL.22, PG.26, JCDR, BUT ALSO THAT OF THE COUNTY ROAD RECORDS, RS7031 AND RS14367 AND CREATED A PROPERTY LINE DISPUTE. I UNDERSTAND THAT MR. EZELL IS A COUNTY SURVEYOR FROM ANOTHER OREGON COUNTY AND PRESIDENT OF THE OACES. I FIND IT VERY DISTURBING THAT ONE WHO HOLDS THIS HIGH RANK AND WHO IS RESPONSIBLE FOR CHECKING OTHER SURVEYOR'S FILED SURVEYS DISPLAYS THIS KIND OF LOGIC WHEN PERFORMING A PROPERTY SURVEY. THE OWNER OF TL600 WAS NOTIFIED OF THIS SITUATION. HOWEVER, NO ATTEMPT TO REMEDY THIS SITUATION IS BEING MADE BY THIS SURVEY.

DEED RECORD DISTANCES WERE USED TO COMPUTE THE SW'LY LINES OF TL 801. LOCATED THE CENTERLINE OF HAMILTON CREEK AND COMPUTED THE 100 YEAR FLOOD PLAIN LINE PER CITY OF ASHLAND FEMA MAPS. WITH THE CENTERLINE OF HAMILTON CREEK BEING THE ADJUSTED PROPERTY LINE, SO A REFERENCE LINE WAS MONUMENTED AS SHOWN HEREON. MONUMENTED THE ADJUSTED PROPERTY LINE AS REQUESTED BY THE CLIENT AND PREPARED LEGAL DESCRIPTIONS FOR RECORDING. THOSE MONUMENTS FOUND AS WELL AS THOSE SET ARE AS SHOWN ON THE ATTACHED PLAT.

BASIS OF BEARINGS: NOAA TRUE BEARING OF THE N-S CL SECTION 14 AS DERIVED FROM THE 1968 NOAA NET ON FILE WITH THE JACKSON COUNTY SURVEYOR'S OFFICE. THE REFERENCE LINE FOR BEARING CONTROL WAS TAKEN FROM MONUMENTS ALONG THE NORTH LINE OF RECORDED SURVEY NO. 7720 AND AS SHOWN ON THE ATTACHED PLAT

DATE: DECEMBER 8, 1997

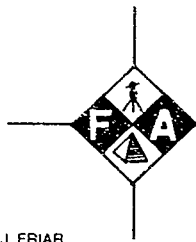
T39S R1E SEC14BD TL'S 600,700,800 & 801

James E, Hibbs, PLS 2234
L.J. Friar & Associates P.C.
Consulting Land Surveyors
816 West Eighth Street
Medford, OR 97501
(541) 772-2782

** RECEIVED **
Date 1-22-98 By BF
This survey consists of:
2 sheet(s) Map
2 page(s) Narrative
JACKSON COUNTY
SURVEYOR

REGISTERED
PROFESSIONAL
LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234

RENEWAL DATE 6-30-99



L.J. FRIAR AND ASSOCIATES

CONSULTING LAND SURVEYORS

816 WEST 8TH STREET
MEDFORD, OREGON 97501

LARRY J. FRIAR
JAMES E. HIBBS

PHONE/FAX
541-772-2782

SURVEY NO. 15634

SURVEY NARRATIVE TO COMPLY WITH ORS 209.250

SURVEY FOR: EAGLE CONSTRUCTION
186 MORNINGLIGHT
ASHLAND, OR 97520

LOCATION: IN THE N.W. 1/4 OF SECTION 14, T.39 S., R.1 E., W.M.,
CITY OF ASHLAND, JACKSON COUNTY, OREGON.

PURPOSE: TO SURVEY AND MONUMENT THE ADJUSTED PROPERTY LINES OF
FOUR TAX LOTS. SEE ASHLAND PA 97-093 (PROPERTY LINE
ADJUSTMENT).

PROCEDURE: MADE TIES TO MONUMENTS ESTABLISHED OR FOUND BY
RS7031, 7720, 14367 & 15098 AS SHOWN. HELD MAP RECORD
BEARING PER RS14367 TO CONTROL THE EAST LINE OF THE
SUBJECT TRACTS. THE SOUTH BOUNDARY & TOLMAN CREEK ROAD
R/W WERE CONTROLLED BY MONUMENTS ESTABLISHED BY RS7720.
MAP RECORD DISTANCE FROM RS14367 WAS HELD TO POSITION
THE N.E. CORNER OF THIS PARTITION. THE NORTH LINE OF
THE PARTITION WAS HELD PER RS7031 & RS14367.

RS15098 HAS A DIFFERENT OPINION AS TO THE NORTH LINE OF
DOC. 97-07987, ORJCO, WHICH I DO NOT HOLD AS VALID FOR
A NUMBER OF REASONS. FIRST THERE ARE ERRORS ON THE
NARRATIVE REGARDING DEED NUMBERS AND SECONDLY THERE IS
A FAULT IN THE REASONING USED BY MR. EZELL IN DECIDING
TO USE THE EASTERLY LINE OF THE TOLMAN CREEK ROAD,
WHICH WAS CONTROLLED BY EDMONDS SUBDIVISION ON RS15098,
TO COMPUTE THE 5 ACRE TRACT DESCRIBED IN VOL.162,
PG.156, JCDR. MR. EZELL STATES THAT THE PARENT TRACT
CAME OUT OF THAT TRACT DESCRIBED IN "VOL.27, PG.26,
JCDR". THIS DEED DOES NOT DESCRIBE ANY PROPERTY NEAR
ASHLAND AND WAS RECORDED IN 1893. WHAT HE SHOULD HAVE
QUOTED WAS VOL. 22, PG.26, JCDR WHICH WAS RECORDED IN
1889. HIS REASONING TO USE THE METES & BOUNDS ELEMENTS
OF THE ABOVE DEED INSTEAD OF THE ALIQUOT PART
DESCRIPTION BECAUSE IT "BETTER REPRESENTS THE INTENTION
OF THE GRANTOR" IS SIMPLY WRONG. ASHBURY C. HELM,
GRANTOR IN THE ABOVE DEED ACQUIRED THE E. 1/2 OF THE
N.W. 1/4 OF SECTION 14 IN 1887 VIA VOL.14, PG.285,
JCDR. THROUGH VOL.22, PG.26, JCDR., HE CONVEYED A TRACT
DESCRIBED BY METES & BOUNDS, BUT FURTHER QUALIFIED
THE PROPERTY AS "THE SAME BEING ALL THAT PART OF THE E.
1/2 OF THE E. 1/2 OF THE N.W. 1/4 OF SECTION 14 LYING
SOUTH OF THE RIGHT OF WAY OF THE OREGON AND CALIFORNIA
RAILROAD, EXCEPTING AND RESERVING THEREFROM A STRIP OF
LAND 30 FEET IN WIDTH OFF OF THE WEST SIDE THEREOF FOR
PUBLIC STREET PURPOSES". THE INTENT OF THE GRANTOR IS
VERY CLEAR TO ME. MR. EZELL FURTHER STATES THAT THE
COUNTY ROAD WAS "ESTABLISHED IN 1891 (VOL.3, PG.28
COMMISSIONER'S JOURNAL). HERE MR. EZELL GOT THE DATE
RIGHT BUT THE FAILED TO STATE THAT THE VOLUME AND PAGE
WAS FROM THE COUNTY ROAD RECORDS. UPON REVIEWING THE
COUNTY ROAD RECORDS STATED ABOVE, THE CENTERLINE OF THE
COUNTY ROAD WAS ESTABLISHED AT A DISTANCE OF 10 CHAINS

LEGEND:

- - FD. 2.5" BRASS CAP MKD. SWAIN RLS759. SEE RS7031.
- - FD. 5/8" IRON PIN W/ PLASTIC CAP MKD. SWAIN RLS759 PER RS7720 OR RS7031.
- - FD. 5/8" IRON PIN W/ PLASTIC CAP MKD. R.ROBERTS LS1656 PER RS14367.
- X-X- - FENCE LINE. RS - RECORDED SURVEY #. CL - CENTERLINE.
- - SET 5/8" x 30" IRON PIN W/ PLASTIC CAP MKD. L.J. FRIAR & ASSOC.
- DR - DEED RECORD. ORJCO - OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.
- () - RECORD DATA AS SHOWN. JCDR - JACKSON COUNTY DEED RECORDS.
- WC - WITNESS CORNER.

LAND PARTITION SURVEY

PARTITION PLAT NO. P-2-1998

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T.39 S., R.1 E., W.M. City of Ashland
Jackson County, Oregon

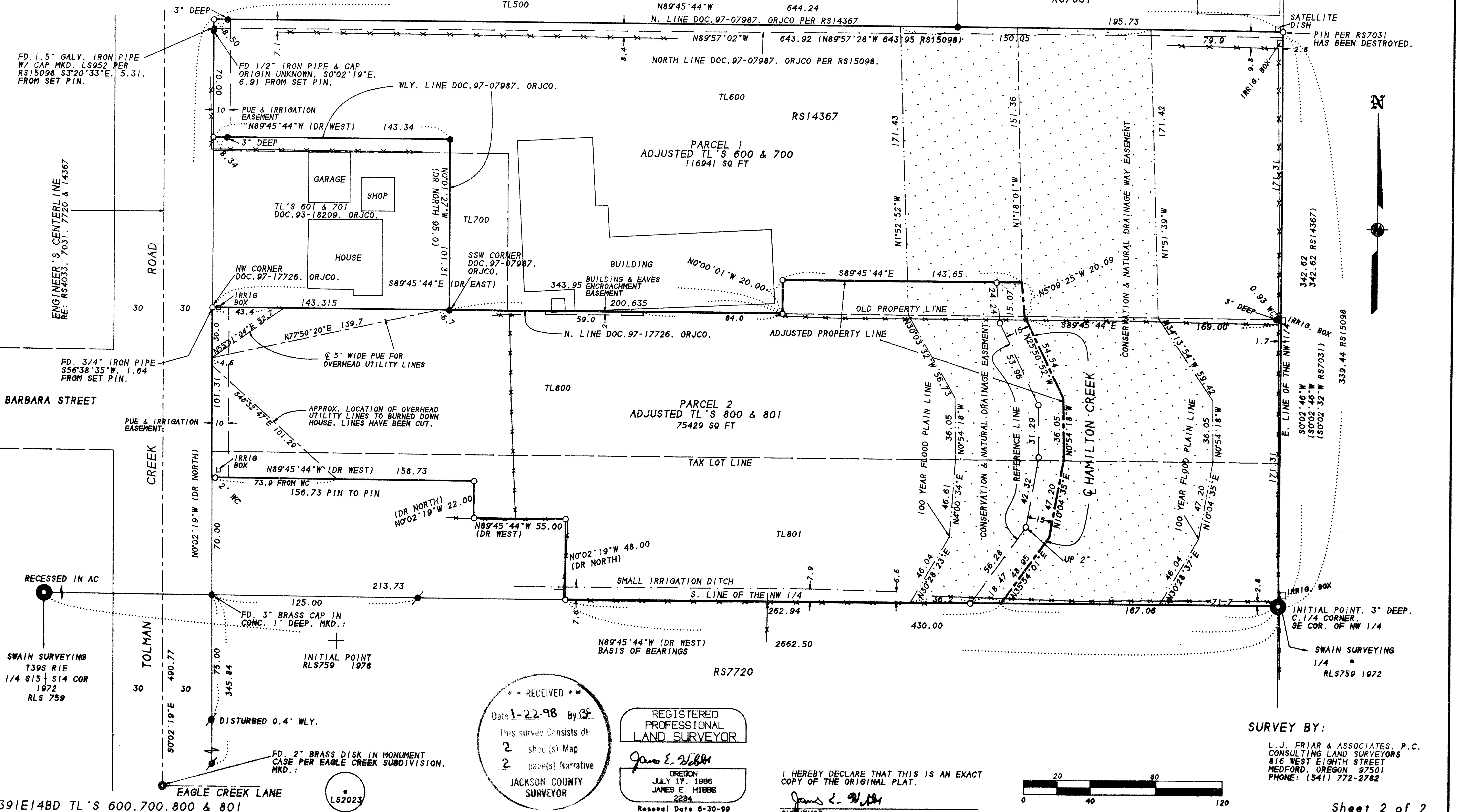
for

Eagle Construction
136 Morninglight
Ashland, OR 97520

EASEMENTS OF RECORD PER SUBDIVISION REPORT
 EASEMENTS FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY
 PER VOL. 312, PGS. 327, 342 & 348, & VOL. 328, PG. 71. JCDR
 ARE BLANKET AREA LEGAL DESCRIPTIONS AND CANNOT BE DEPICTED
 HEREON.

BASIS OF BEARINGS: NOAA TRUE BEARING OF THE N-S CL SECTION 14 AS DERIVED FROM
 THE 1968 NOAA NET ON FILE WITH THE JACKSON COUNTY SURVEYOR'S
 OFFICE. THE REFERENCE LINE FOR BEARING CONTROL WAS TAKEN FROM
 MONUMENTS ALONG THE E-W CL OF SECTION 14 AS SHOWN ON RECORDED
 SURVEY NO. 7031 AND AS SHOWN HEREON.

DATE: DECEMBER 8, 1997 UNIT OF MEASUREMENT: FEET SCALE: 1" = 40'

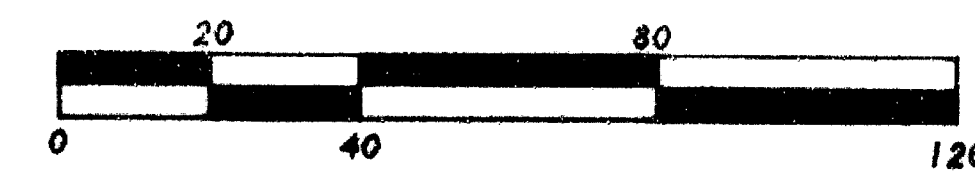


** RECEIVED **
 Date 1-22-98 By [Signature]
 This survey consists of
 2 sheet(s) Map
 2 page(s) Narrative
 JACKSON COUNTY
 SURVEYOR

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 [Signature]
 OREGON
 JULY 17, 1988
 JAMES E. HIBBS
 2234
 Renewal Date 6-30-99

I HEREBY DECLARE THAT THIS IS AN EXACT
 COPY OF THE ORIGINAL PLAT.
 [Signature]
 SURVEYOR

SURVEY BY:
 L.J. FRIAR & ASSOCIATES, P.C.
 CONSULTING LAND SURVEYORS
 816 WEST EIGHTH STREET
 MEDFORD, OREGON 97501
 PHONE: (541) 772-2782



391E14BD TL'S 600, 700, 800 & 801

Sheet 2 of 2