

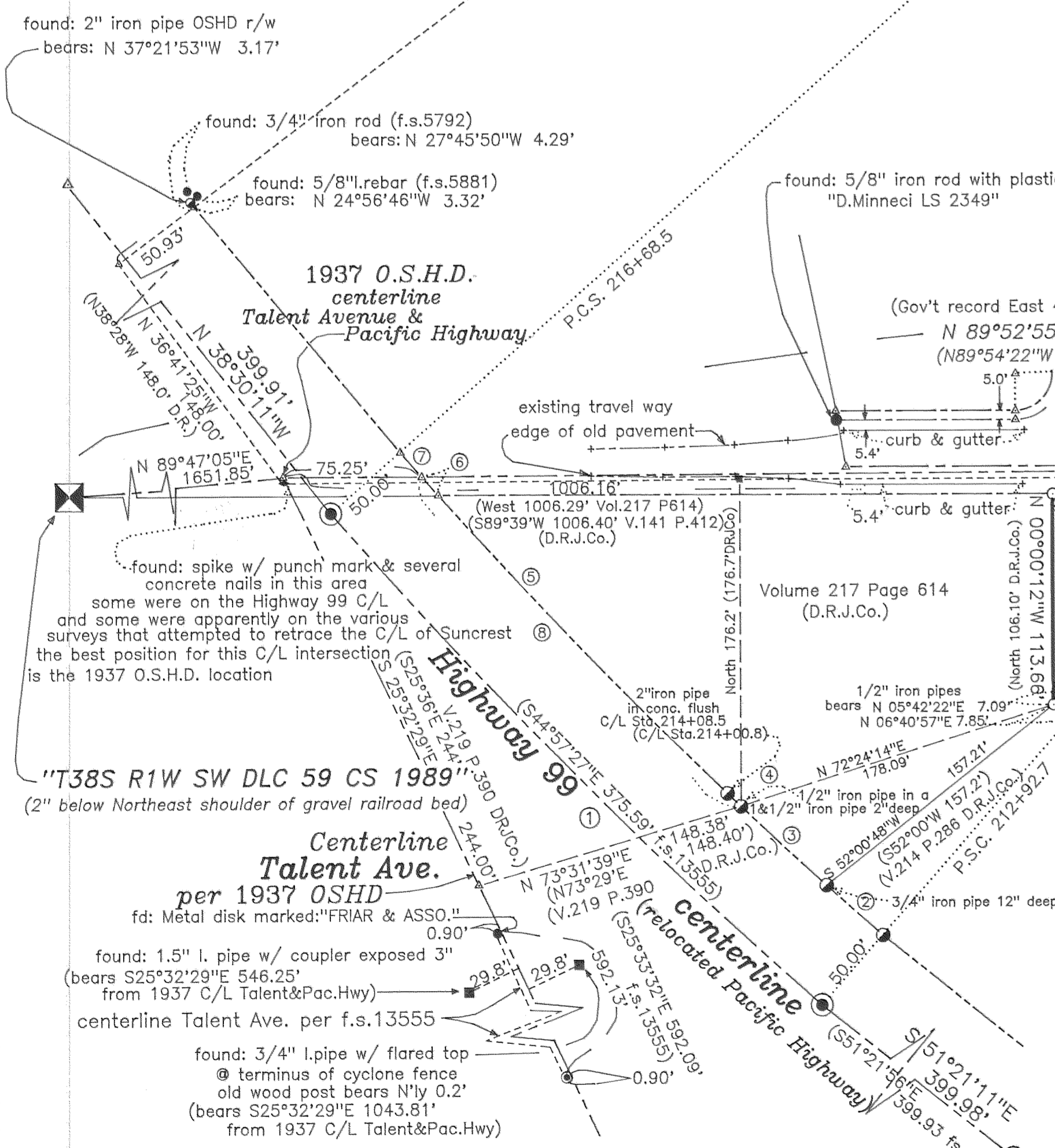
Narrative of Survey

Purpose: To establish the Southerly right of way line of Suncrest Road and monument my client's property lines.

Procedure: A very thorough and exhaustive research of private and public records was conducted due to the confusion concerning the location of the Suncrest Road right of way and the related positioning of the Southeast corner of Donation Land Claim No.59. At least 12 different surveys found in the Jackson County Surveyor's Office establish various locations for this corner and county road (not to mention various road widths). Boyden Surveyors in Medford, Oregon provided several surveys done in the area prior to 1947. Mark Boyden was very helpful in reconciling much of this information and provided additional insight into the private surveyor's work done in Jackson County prior to 1947. Oregon State Highway Department archives and the Jackson County archives were sources of pre-1947 public survey and engineering information most notable of which was the 1937 re-alignment of Pacific Highway. Virtually, all of the 1937 O.S.H.D. monuments along the Highway 99 right of way were recovered by this office. Yet filed survey No.13555 and many other surveys in Jackson County retraced this right of way without apparently recovering any of this monumentation much less using it. Unfortunately for the City of Talent, who hired Edward's Surveying, the centerline location and monuments for Talent Avenue according to filed survey No.12290 are not on the centerline according to the 1937 Oregon State Highway Department re-alignment and monumentation. Also of note, several of the survey monuments claimed to have been found and used by survey No.13555, were no longer in place. A large part of the Suncrest Road retracement concerned the varying locations for the Southeast corner of Donation Land Claim No.59. Once again there was a tremendous amount of confusion over this location and its impact on adjoining properties. My best guess is that there were at least four different locations for this D.L.C. corner all prior to 1940. The current location was established in 1940 by C.Z.Boyden and is the best probable re-establishment relative to the original monument. Confusion reigns however, when subsequent surveys utilized this monument for retracing surveys done from other earlier locations for this D.L.C. corner. Any attempt to use the County Donation Land Claim corner monument as a centerline monument for Suncrest Road ignores evidence to the contrary. A preponderance of evidence exists indicating this 30 foot wide County Road was never South of the D.L.C. line. A large portion of this information is not readily accessible in the Jackson County Surveyor's Office (no fault of the County Surveyor's Office) and requires additional research in other county offices or archives. Filed Survey No.12290 which attempted to not only utilize the Donation Land Claim line as a centerline for Suncrest Road but also decided it had a width of 60 feet. There is some confusion in the County Road records that mistakenly state that this right of way is 60 feet wide. The Commission Journals clearly states however, that the original final petition was for only a 30 foot right of way width. The net effect of filed survey No.12290 was a 30 foot "land grab" effecting all properties south of the Donation Land Claim line west to Highway 99. Also this survey ignored a City of Talent council meeting on September 15, 1993 concerning an L.L.D. for Suncrest Road which clearly indicated the council's understanding of the developer's intent to place all improvements for his subdivision on to his property, i.e. the additional 30 feet of right of way would come from his ownership NORTH of the D.L.C. line. This survey also ignored previous surveys, deeds, and Commissioner Journal records that place Suncrest Road NORTH of the Donation Land Claim line with a 30 foot wide right of way. Our research conducted from private files includes J.S. Howard's survey for the Mountain View Orchard tracts dated May 1909 with some subsequent revisions, the Talent Orchard Company survey by Harry E. Foster C.E. dated March 17, 1912, the Dr. C.W. McFadden Survey by C.Z. Boyden dated November 1924, Frank Seaman's Survey for Dr. C.W. McFadden dated September 9, 1922 all of these surveys were graciously provided by Boyden Surveyors and copies of which have been provided to the Jackson County Surveyor. Hoffbuh & Associates generously provided several private Lovejoy and Clabby surveys that established my client's boundaries in the late 1940's (both of these engineers concluded the County Road was North of the newly re-established D.L.C. corner); and lastly Steeckman's Survey dated 1914 in Book "U" Page 30 of the City of Ashland records. The Commissioner's Journal that established a 30 foot width for Suncrest Road is in Volume 5 Pages 168 & 169 dated November 9, 1880, it is referred to as the Henry Amerman County Road or the John Holton's to Jeff Bell's County Road.

Table with 5 columns: CURVE, RADIUS, LENGTH, DELTA, CHORD, CH.BEARING. It lists curve data for curves C-1 through C-9.

There have been several boundary lines by agreement done in the course of determining this boundary. This deed line is shown as part of Volume 141 Page 412 D.R.J.Co. and does not represent a boundary at this time.

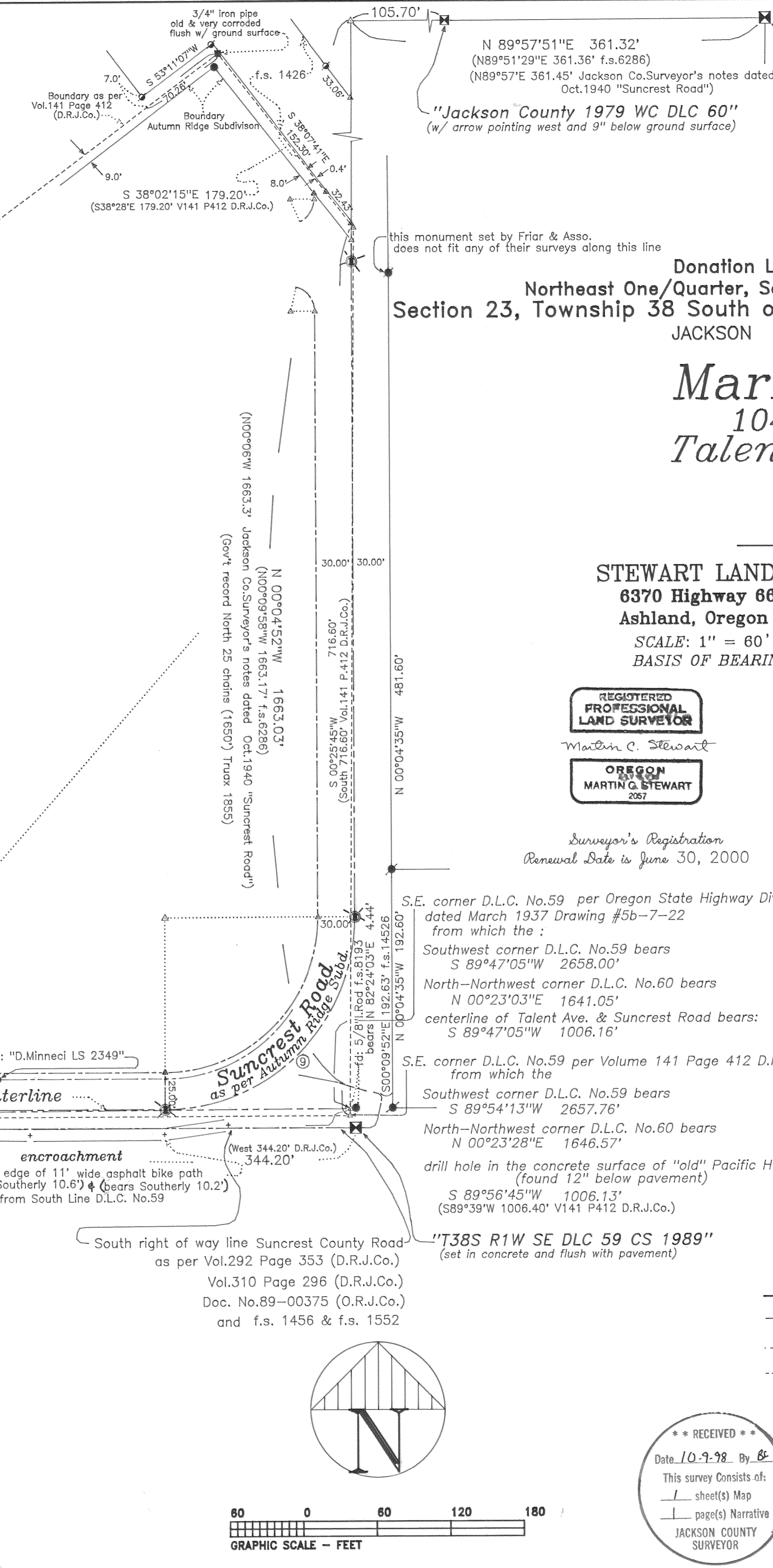


Autumn Ridge Subdivision

Swisher Tract "A" Vol.442 Page 200 (D.R.J.Co.) 0.39 acres

Swisher Tract "B" Vol.281 Page 58 (D.R.J.Co.) 0.41 acres

Tax Lots 100 and 101 of Assessor's Map 38s-1w-23ca



"T38S R1W NE DLC 60 CS 1969" (on a 1" iron pipe 6" below ground surface)

"Jackson County 1979 WC DLC 60" (w/ arrow pointing west and 9" below ground surface)

map of SURVEY located in

Donation Land Claims No.59 and No.60 in the Northeast One/Quarter, Southeast One/Quarter, and Southwest One/Quarter Section 23, Township 38 South of Range 1 West of the Willamette Base and Meridian JACKSON COUNTY OREGON

for Mark E. Swisher 104 Suncrest Road Talent, Oregon 97540

SURVEYOR

STEWART LAND SURVEYS 6370 Highway 66 Ashland, Oregon 97520-9016 SCALE: 1" = 60' BASIS OF BEARING:

January 31, 1997 revised: July 1, 1998 revised: October 7, 1998 (541) 488-2831 TRUE MERIDIAN at Sta. Talent



Surveyor's Registration Renewal Date is June 30, 2000

- Legend: Symbols for found monuments (bronze disk, metal disk, iron rod, etc.), surveyed boundaries, centerlines, and other survey features. Includes descriptions like 'found: Jackson County Surveyor 2.5" bronze disk, as noted'.

RECEIVED Date 10-9-98 By [Signature] This survey consists of: 1 sheet(s) Map 1 page(s) Narrative JACKSON COUNTY SURVEYOR

job: 81w23-1-JN-9615 file: 81w23-1.crd & pl1

sheet One of One