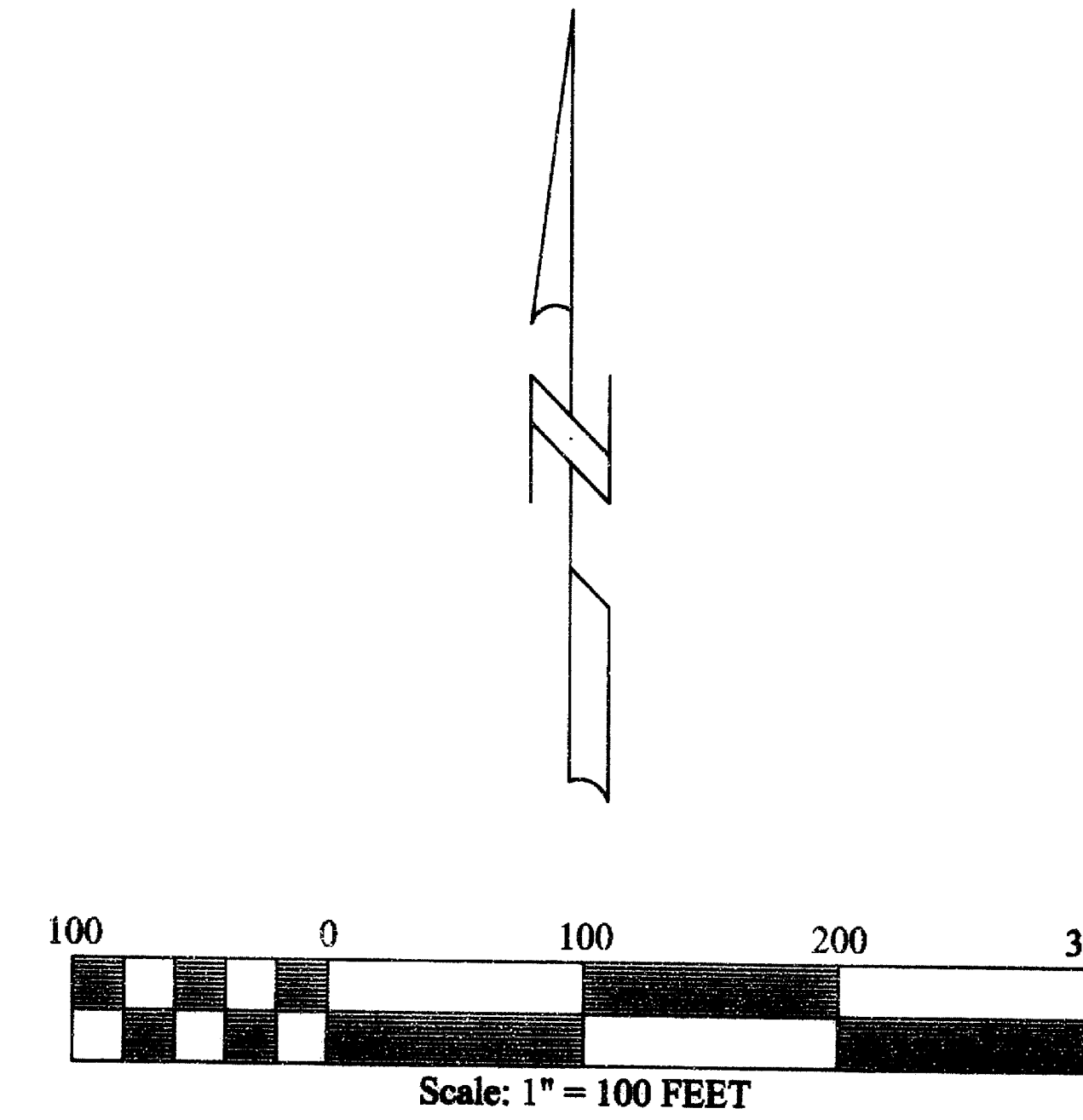
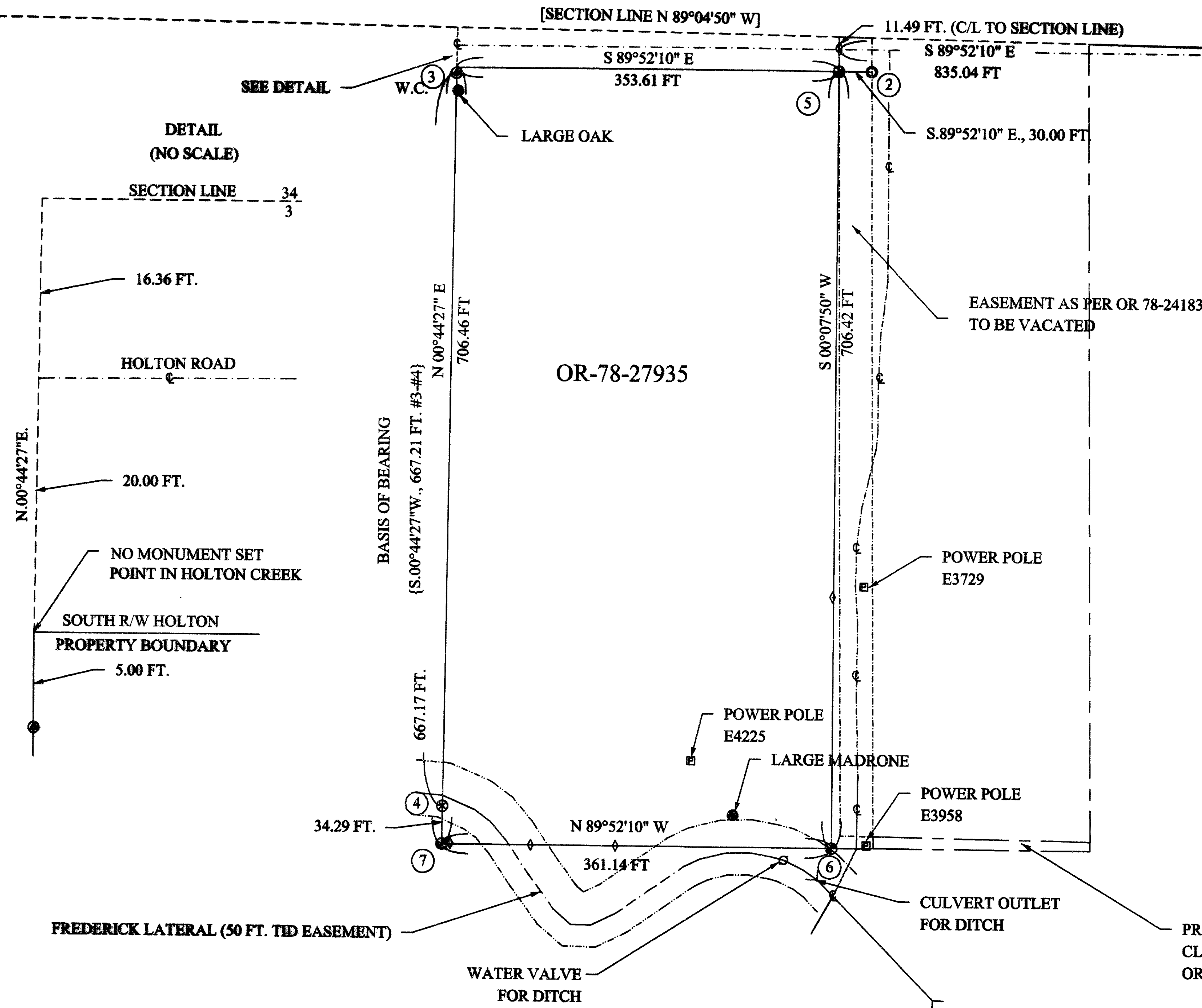


MAP OF SURVEY
T.39 S., R.1 W., N.E. 1/4 SECTION 3, W.M.
JACKSON COUNTY, OREGON

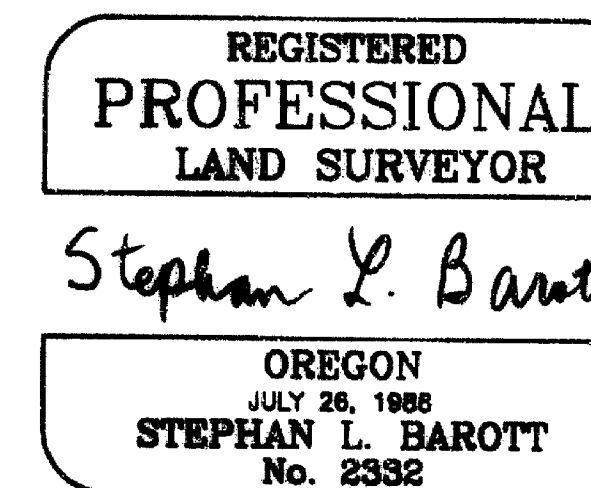
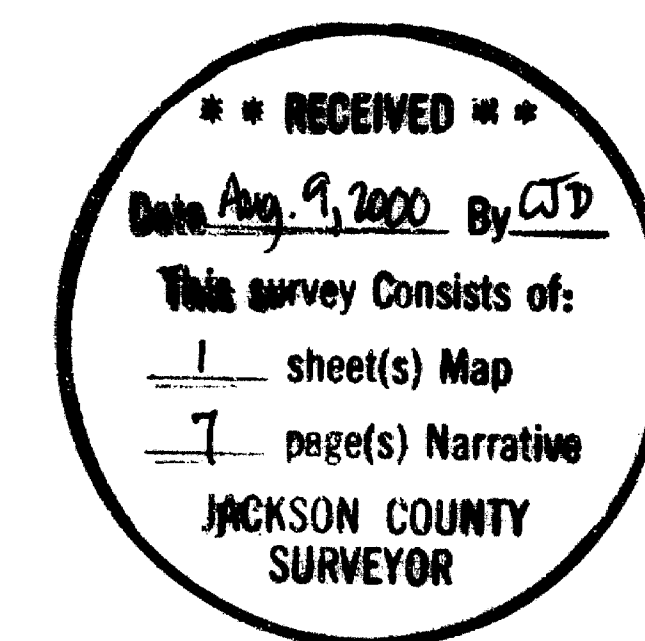


{BASIS OF BEARING: EAST LINE MAITRI SUBDIVISION AS PER R.S. 14978}
 {1 METER = 3.2808333 FT.}

- SET 2 1/2" X 30" LONG IRON PIPE, WITH 2 1/2" DIAM. BRASS CAP ATTACHED
 - SET 5/8" X 30" IRON PIN WITH RED PLASTIC CAP MARKED "BAROTT LS 2332"
 - FOUND JACKSON COUNTY SURVEYOR BRASS DISK IN CONCRETE
 - FOUND 5/8" IRON PIN AS PER R.S. 10860
 - FOUND 5/8" IRON PIN AS PER R.S. 14978 (INITIAL POINT MAITRI SUBDIVISION)
 - FOUND 1/2" IRON PIN AS DESCRIBED PER R.S. 14978
 - CENTERLINE OF HOLTON ROAD OR DRIVEWAY
- SECTION LINE
 - - - - - HOLTON ROAD CENTERLINE
 - - - - - ACCESS DRIVEWAY C/L OR EASEMENT LIMITS
- R.S. JACKSON COUNTY SURVEYOR RECORDED SURVEY
 { } R.S. 14978
 [] R.S. 10860
- OR JACKSON COUNTY, OREGON DEED RECORD
- ① NOTES & CORNER INFORMATION: SEE ATTACHED NARRATIVE
- ◆ FOUND OLD WOODEN FENCE POST

PURPOSE: TO LOCATE AND MONUMENT THE OSBORN-SANTONI
 PROPERTY DESCRIBED IN JACKSON COUNTY DEED RECORDS (OR-78-27935)

PROCEDURE: SEE ATTACHED NARRATIVE



CERTIFICATE EXPIRES: DECEMBER 31, 2001

SURVEYORS CERTIFICATE: I CERTIFY THIS SURVEY WAS
 CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION
 IN JULY, 2000.

391W03-0200

SURVEY FOR:

SURVEYED BY:

DRAWN BY: SLB APPROVED BY: _____
 DATE: JULY 27, 2000 PROJ. NO. 2000-04
 DWG. NO. _____ DWG. OSBORN1.DWG

REVISIONS

JAY OSBORN-ANITA SANTONI
 639 HOLTON ROAD
 TALENT, OR 97540

STEPHAN L. BAROTT
 1446 ST. ANDREW WAY
 MEDFORD, OREGON 97504

SHT. NO.
 1 OF 1

Survey No. 16600

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

An old wooden fence post bears East 1.0 feet. This old easterly fence line agrees with the Southerly boundary of my client's property.

8. NORTHWEST CORNER OF OSBORN-SANTONI PROPERTY

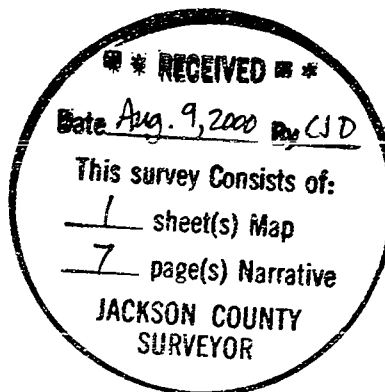
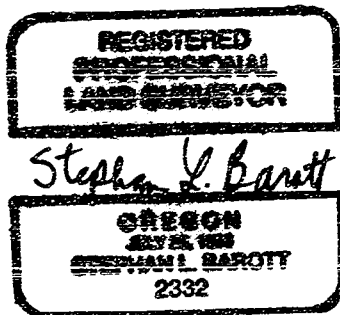
From the corner point, a witness corner set by Richard Bath bears S.00°44'27"W., 5.00 feet.
Witness Corner is a 5/8" diameter iron pin with plastic cap marked as follows:

**HARDEY ENG.
& ASSOC.**

The true corner point falls in Holton Creek. The previously established monument from R.S. 11978 has been destroyed. No attempt was made to re-establish the true corner point due to the history of Holton Creek washing away the monuments. In addition, the Witness Corner established by Richard L. Bath as the Initial Point for MAITRI SUBDIVISION is in good condition and only 5.00 feet from the true corner point.

DATE OF SURVEY: July 5, 2000

STEPHAN L. BAROTT



My Certificate Expires December 31, 2001

Survey No. **16600**

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

BAROTT SURVEYING

SE
2000
LS2332

From which:

Power pole #E3958 bears N.85°04'42"E., 31.86 feet distance.

The centerline of Darrell Clapp's driveway bears East, 23 feet.

A spike, set by George Burrell for Darrell Clapp's North-South fence line, bears N.32°05'42"E., 15.04 feet distance. This spike agrees with the property description for Darrell Clapp, but does NOT agree with the property description of my client. I did not hold this found spike for alignment.

7. SOUTHWEST CORNER OF OSBORN -SANTONI PROPERTY

At the corner point, I set a 2½-inch diameter X 30-inch long iron pipe 25-inches in the ground and surrounded by concrete, with a 2½-inch diameter brass cap marked as follows:

BAROTT SURVEYING

SW
2000
LS2332

From which:

A ½-inch diameter iron pin near a fence corner on the East side of Sophia Lane bears N.00°44'27"E., 34.29 feet distance.

A ½-inch diameter iron pin near a fence corner on the West side of Sophia Lane bears S.88°23'42"W., 59.68 feet distance.

A ⅝-inch diameter iron pin set under the asphalt surface of Sophia Lane bears S.86°02'04"W., 30.01 feet distance.

Corner lies 0.2 ft. West of a newer wire fence, most likely constructed by Darrell Clapp.

Survey No. **16600**

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

The true corner point for **Northwest Corner of OR-78-27935** (Osborn-Santoni) bears N.00°44'27"E., 5.00 feet distance. No evidence of the "destroyed" ½-inch iron pin as described by Bath during R.S. 11978 could be found. The true corner point lies in Holton Creek.

4. Monument set near the south TID easement (Vol.54 Pg.380 Miscellaneous Records) for Frederick Lateral. Monument is also on the west boundary line for OR-78-27935 (Osborn-Santoni), and is identical with the West boundary of Volume 391, Page 440.

At the corner point, I found a ½-inch diameter iron pin near a wooden fence corner.

From which:

A ½-inch diameter iron pin near a fence corner on the West side of Sophia Lane bears S.39°06'42"W., 70.04 feet distance.

A ⅝-inch diameter iron pin set under the asphalt surface of Sophia Lane bears S.39°53'01"W., 47.38 feet distance.

Corner lies 0.5 feet West of a newer wire fence, most likely constructed by Darrell Clapp.

MONUMENTS ESTABLISHED THIS SURVEY

5. NORTHEAST CORNER OF OSBORN -SANTONI PROPERTY

At the corner point, I set a ⅝-inch diameter X 30-inch long iron pin 30 inches in the ground, with a red plastic cap marked as follows:

BAROTT

LS 2332

From which:

A ⅝-inch diameter iron pin set by George Burrell during R.S. 10860 bears S.89°52'10"E., 30.00 feet distance.

A bent ½-inch diameter iron pin, nearly out of the ground, was found North, 0.5 feet distance.

6. SOUTHEAST CORNER OF OSBORN -SANTONI PROPERTY

At the corner point, I set a 2½-inch diameter X 30-inch long iron pipe 25-inches in the ground and surrounded by concrete, with a 2½-inch diameter brass cap marked as follows:

Survey No. **16600**

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

A 22-inch diameter Oak, bears N.64°16'35" W., 50.35 feet distance, with no marks visible. (R.S. 11978 record N.64°04' W., 50.8 Ft.)

A 5/8-inch diameter iron pin set below the asphalt surface of Holton Road, bears N.36°35'37" E., 2.92 feet distance. (R.S. 11978 record N.37°14'19"E., 3.02 Ft.)

A 20-inch diameter pine bears S.6°01'18" W., 172.49 feet distance, with a healed double blaze. (R.S. 11978 record S.06°00' W., 172.30 Ft.)

The southeast iron pin re-set by Richard L. Bath during R.S. 11978 could not be found.

I set the following new accessory:

A 5/8-inch diameter X 30-inch long iron pin bears S.41°57'23"E., 33.78 feet distance, with red plastic cap marked as follows:

BAROTT
.
LS 2332

2. **Monument set on south boundary of Holton Road by George Burrell, LS 638, during R.S. 10890 dated March 30, 1987.**

At the corner point, I found a 5/8-inch diameter iron pin with yellow plastic cap oriented to the south, marked:

BURRELL
.
RLS 638

3. **Initial Point for MAITRI SUBDIVISION established by Richard L. Bath, LS 1069 during R.S. 14978 dated June 5, 1996.**

At the corner point, I found a 5/8-inch diameter iron pin with orange plastic cap marked:

HARDEY ENGINEERING
.
& ASSOC.

From which, a 5/8-inch diameter iron pin set under the asphalt surface of Sophia Lane bears S.80°34'28"W., 30.42 distance.

The Witness Monument set by Bath on the West R/W of Sophia Lane could not be found.

Survey No. **16600**

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

bank of the Talent Irrigation District's Frederick Lateral. Monuments were set as indicated on the attached Map of Survey. It should be noted that the 2½-inch diameter brass cap monuments set in concrete at the Southeast and Southwest corners of my client's property, were at the request of my client. Spikes with blue stake chasers indicate traverse points only. Spikes with pink stake chasers were set along the property boundary at locations requested by my client.

EQUIPMENT: Equipment utilized throughout this survey include WILD T-1000 Electronic Theodolite #323968, with a GRE-3 data collector.

MONUMENTS ACCEPTED FOR CONTROL: Refer to Map of Survey for corner reference numbers:

- 1. The Section Corner for Sections 34 & 35, Township 38 South, Range 1 West, and Sections 2 & 3, Township 39 South, Range 1 West, Willamette Meridian, Jackson County, Oregon.**

At the corner point, I found 3-inch diameter brass disk monument 3-inches below the asphalt surface, at the intersection of Holton and Yank Gulch Roads, marked as follows:

T38S R1W	
34	35

3	2
T39S	
CS	
1993	

NOTE: Brass disk is exposed and is oriented to the southwest.

From which, the following accessories were found:

A ⅝-inch diameter iron pin on the west cut bank of Yank Gulch Road and near an Oak tree, bears S.28°31'53"W., 38.88 feet distance. (R.S. 11978 record S.28°25'50"W., 38.72 Ft.). Yellow plastic cap marked:

JACKSON C.S.

A 22-inch diameter Oak, bears N.64°16'35" W., 50.35 feet distance, with no marks visible. (R.S. 11978 record N.64°04'W., 50.8 Ft.)

Survey No. **16600**

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

“Commencing at a point on the North line of Section 3, Township 39 South, Range 1 West, Willamette Meridian, Jackson County, Oregon, 775.0 feet West of the Northeast corner of said Section 3; thence South 20.0 feet to a ½-inch diameter galvanized pipe; thence West 60.0 feet to the true point of beginning; thence South 706.42 feet; thence West 352.98 feet to the West line of that certain tract described in Volume 391, Page 440, Jackson County, Deed Records; thence North along the West line thereof, 706.42 feet to **the South line of Holton Road; thence East along the South line of Holton Road 352.98 feet to the point of beginning.**”

While most of the adjacent deeds refer to the section line as the controlling element, my client's deed is somewhat different. Jackson County Deed Records documents OR-78-27935 (West to Santoni) and OR-78-24183 (Deboer to West) **dated July 20, 1972**, refer to the south boundary of Holton Road as the controlling element. The intent very clearly holds the south boundary of Holton road as the north boundary of my client's property. The boundaries are then parallel and perpendicular to said south boundary with the exception of the West boundary, which calls the West line of the Volume 391, Page 440, Jackson County Deed Records as the controlling West boundary of my client's property. The discrepancy arises at the beginning of the description, where it states “commencing at a point on the North line of Section 3.” It must be pointed out that Mr. Darrell Clapp, the land owner of the parcel directly East (flag lot) and South of my client's property, was somewhat concerned at my decision to hold the South boundary of Holton Road and not the section line. I made every attempt to “make things fit” the adjacent properties, but it did not work. No previous monuments had been set along the South boundary of my client's property and the North boundary of Mr. Clapp's property. The West boundary of the flag lot as shown on R.S. 10860 was held parallel to the East line of Section 3. This simply did not fit my client's deed. At the Southwest corner of my client's property I found an old wooden fence post. This old fence line extends Easterly and favorably follows my client's property line, further supporting my interpretation of the initial intent of OR-78-27935. The date of **July 20, 1972 for OR-78-24183** is important because it indicates that Deboer sold to West prior to Darrell & Roanne Clapp, who obtained their property in 1975.

A search was made for the ½-inch diameter galvanized pipe, 60.0 feet East of the true point of beginning as noted in OR-78-27935. At that point, a buried drainage pipe was found. Thirty feet to the West of the search area, one of George Burrell's monuments set during R.S. 10860 was found. Thirty feet to the West of the Burrell monument, a ½-inch diameter iron pin was found near the true point of beginning. Mr. Burrell indicated he believed Mr. Ager set this iron pin, but no record of it could be found. Other controlling monuments set during R.S. 11978 and 14978 were searched for and found as later described in this narrative.

I began my survey at the Northeast corner of Section 3. A traverse was then run Westerly and Southerly, with ties made to all found controlling corners. Traverse points were set along the boundary of my client's property, as well along the North

Survey No. **16600**

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

SURVEYED FOR: JAY OSBORN-ANITA SANTONI
639 HOLTON ROAD
TALENT, OREGON 97540

SURVEYED BY: STEPHAN L. BAROTT
1446 ST. ANDREW WAY
MEDFORD, OREGON 97504

LOCATION: Township 39 South, Range 1 West, Section 3, Willamette Meridian, Jackson County, Oregon. (Jackson County Tax Records 391W03-TL00200).

BASIS OF BEARING: East boundary of MAITRI Subdivision as per Record Survey 14978, as shown as corners (#3-#4) of the attached Map of Survey.

PURPOSE: The purpose of this survey is to locate and monument the Osborn-Santoni property described in Jackson County Deed Records (OR-78-27935).

PROCEDURE: Prior to commencement of this survey, a review of Jackson County filed surveys No. 10860, 11978, 12035, and 14978 was conducted. These surveys are referred to later in this narrative as R.S. #. I also reviewed several deeds for the adjoining properties surrounding my client's property. Several discrepancies were noted concerning the adjacent deeds. Most of the deeds refer to the North line of Section 3 as the controlling element and do not mention the centerline of Holton Road. This has caused many problems in the immediate area because the centerline of Holton Road was thought to be the same as the section line for many years, when in fact it is not. At the northeast corner of my client's property, the section line is 11.49 feet north of the centerline of Holton Road; at the northwest corner of my client's property, the section line is 16.36 feet north of the centerline of Holton Road.

Mr. George Burrell, one of the earlier surveyors for these adjacent tracts of land, was consulted to see if he had additional evidence that I had overlooked. Mr. Burrell indicated he had a lot of difficulty in the language of some of the earlier deeds. In fact, he indicated that some of the descriptions had actually changed over the years for some unknown reason. Mr. Burrell also indicated he believed Mr. Ager surveyed most of these parcels years ago, but perhaps did not tie the surveys together, causing what appear to be gaps and overlaps. The descriptions that George Burrell surveyed and put on the ground clearly hold the section line as the controlling element. None of them refer to Holton Road.

The following is the description of my client's property as per OR-78-27935: