

# LAND PARTITION SURVEY

## PARTITION PLAT No. P-70-2000

to assuage the City Surveyor: this granite stone was incorporated into a survey traverse on May 1, 1998 on page 55 of the Stark-Montgomery field notes found: granite stone 8" deep in Lithia Park landscaping bed Sec. 9 (10" x 8" x 12")

Township 39 South of Range 1 East of the Willamette Meridian

**Len & Karen Eisenberg**  
223 Granite Street  
Ashland, Oregon 97520

**Parcel No.2**  
.78 acres 34002 sq. feet  
Kannasto

**Parcel No.1**  
0.27 acres 11733 sq. feet  
Kannasto

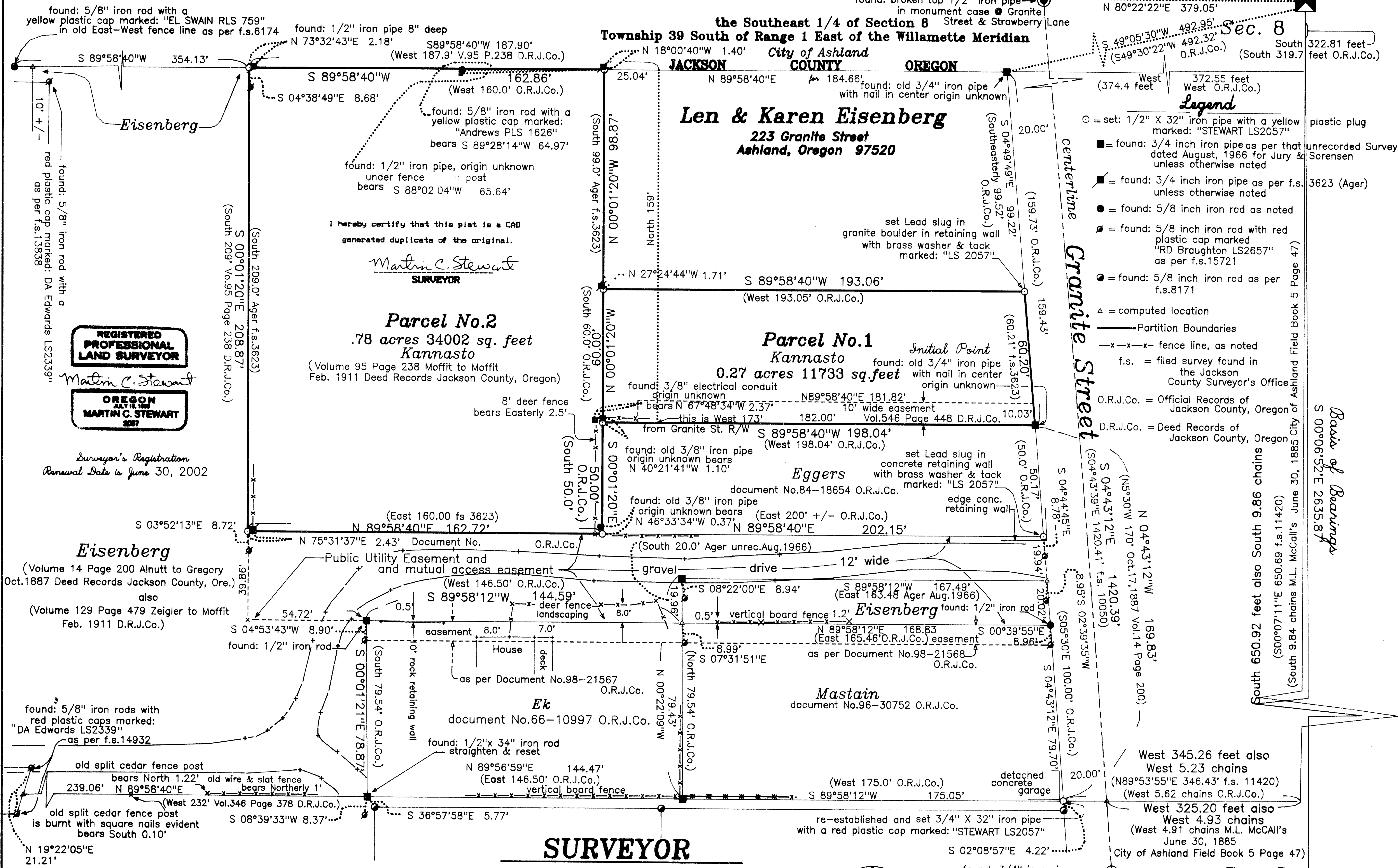
REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
MARTIN C. STEWART  
2007

Surveyor's Registration  
Renewal Date is June 30, 2002

I hereby certify that this plat is a CAD generated duplicate of the original.  
*Martin C. Stewart*  
SURVEYOR

- Legend**
- = set: 1/2" X 32" iron pipe with a yellow plastic plug
  - = found: 3/4 inch iron pipe as per that unrecorded Survey Sorensen dated August, 1966 for Jury & unless otherwise noted
  - ▣ = found: 3/4 inch iron pipe as per f.s. 3623 (Ager) unless otherwise noted
  - = found: 5/8 inch iron rod as noted
  - ⊙ = found: 5/8 inch iron rod with red plastic cap marked "RD Braughton LS2657" as per f.s.15721
  - ⊙ = found: 5/8 inch iron rod as per f.s.8171
  - △ = computed location
  - = Partition Boundaries
  - x-x-x- = fence line, as noted
  - f.s. = filed survey found in the Jackson County Surveyor's Office
  - O.R.J.Co. = Official Records of Jackson County, Oregon
  - D.R.J.Co. = Deed Records of Jackson County, Oregon

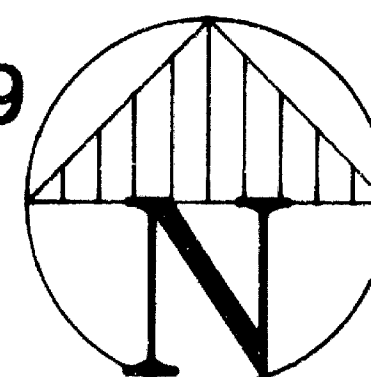


### SURVEYOR

**STEWART LAND SURVEYS**  
6970 Highway 66  
Ashland, Oregon 97520  
SCALE: 1" = 30'  
BASIS OF BEARING: True Bearing as per

October 5, 1999  
revised April 15, 2000

phone (541) 488-2831  
f.s.i0050-a



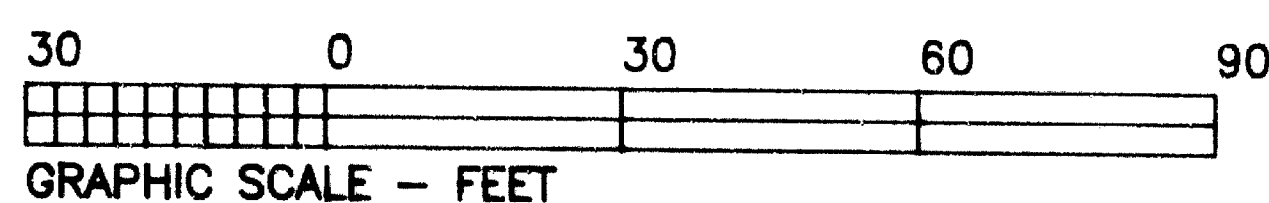
file: 91e8ad-4.crd & 91e8ad-7.pl1  
job: 9919

Sec. 8 Sec. 9

Sec. 17 Sec. 16

sheet two of two

Tax Lot 900 of Assessor's Map 39s-1e-8da



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

LAND PARTITION SURVEY  
PARTITION PLAT No. P-70-2000

Martin C. Stewart  
SURVEYOR

located in

the Southeast 1/4 of Section 8  
Township 39 South of Range 1 East of the Willamette Meridian  
City of Ashland  
JACKSON COUNTY OREGON

RECORDING

FILED FOR RECORD THIS THE 06 DAY OF December, 2000  
AT 11:52 O'CLOCK A.M. AND RECORDED AS PARTITION PLAT No. P-70-2000  
OF THE RECORDS OF PARTITION PLATS IN JACKSON COUNTY, OREGON  
INDEX VOLUME 11, PAGE 70

Kathleen S. Burkett County Clerk  
Geraldine Cutting Deputy

COUNTY SURVEYOR File No. 16732

APPROVAL:

Bill Mohr 12/4/2000  
ASHLAND PLANNING DEPARTMENT DATE

P.A. #2000-027

APPROVAL

Examined and Approved this 6th day of October, 2000

Jamie H. Olson  
City Surveyor

Len & Karen Eisenberg

223 Granite Street  
Ashland, Oregon 97520

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All taxes, assessments, or any other charges as required by  
OREGON REVISED STATUTE 92.095 have been paid as of  
the 6 day of December, 2000.

Don Hubby Dept 12-6-2000  
Assessor, Department of Assessment Date

Sharon Spindley Deputy 12-6-00  
Tax Collector 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 requirements and regulations of the State of Oregon and the following is an accurate description of the boundary lines of the parent tract of land as set forth hereon:---

All of that tract or parcel of land lying in the Southeast One/Quarter of Section 8, Township 39 South of Range 1 East of the Willamette Meridian in Jackson County, Oregon in the City of Ashland and being more specifically described as follows:

COMMENCING at a granite stone for the One/Quarter corner common to Sections 8 and 9 in said Township and Range; THENCE South 9.86 chains (650.92 feet) and West 5.23 chains (345.26 feet) ((deed record: South 10.00 chains (660 feet) and West 5.62 chains (370.9 feet))) to a 3/4 inch by 32 inch iron pipe set on the westerly right of way line for Granite Street; THENCE continuing along said right of way line as follows: North 04 degrees 43 minutes 12 seconds West for a distance of 169.82 feet (deed record: 170') to a found 3/4 inch iron pipe with nail in center for the Initial Point of Beginning; THENCE North 04 degrees 43 minutes 12 seconds West for a distance of 60.20 feet to a brass washer & tack in a granite boulder; THENCE leaving said right of way line, South 89 degrees 58 minutes 40 seconds West for a distance of 193.06 feet (deed record: West 193.05 feet) to a 1/2 inch by 32 inch iron pipe; THENCE North 00 degrees 01 minutes 20 seconds West for a distance of 98.87 feet (deed record: North 99 feet) to a 1/2 inch by 32 inch iron pipe situated in the Northerly boundary line of that tract of land as set forth in Volume 8 page 238 of the Deed Records of Jackson County, Oregon; THENCE along said Northerly boundary line, South 89 degrees 58 minutes 40 seconds West for a distance of 162.86 feet (deed record: West 160 feet) to a 1/2 inch by 32 inch iron pipe situated at the Northwest corner of that tract of land as set forth in Volume 95 Page 238 of said Deed records; THENCE South 00 degrees 01 minutes 20 seconds East along the Easterly boundary line for the last said tract of land for a distance of 208.87 feet (deed record: South 209 feet) to a 1/2 inch by 32 inch iron pipe situated at the Southwesterly corner thereof; THENCE North 89 degrees 58 minutes 40 seconds East along the Southerly boundary line of last said tract of land for a distance of 162.72 feet (deed records: East 160 feet) to a 1/2 inch by 32 inch iron pipe; THENCE leaving said Southerly boundary line, North 00 degrees 01 minutes 20 seconds West for a distance of 50.00 feet to a 1/2 inch by 32 inch iron pipe for the Northwesterly corner of that tract of land as set forth in Document No. 84-18654 of the Official Records of Jackson County, Oregon; THENCE North 89 degrees 58 minutes 40 seconds East along the Northerly boundary line of the last said tract of land for a distance of 198.04 feet (deed record: East 198 feet) to the Initial Point of Beginning.

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, that We

Harry R. Kannasto, as trustee of the Otto H. Kannasto trust is the owner in fee simple of that certain real property as set forth in the SURVEYOR'S CERTIFICATE and shown hereon. I hereby create and establish Parcels No. One (1) and Two (2) as shown hereon. The sizes of the parcels as well as the course and length of all lines are plainly set forth and this is a correct representation of the partition, limited exclusively thereby.

Narrative of Survey

Purpose: land partition

Procedure: Much of this survey work was done previously concerning a property line dispute. Filed Survey No. 14932 and a subsequent filed survey No. 15751 are examples of bad surveying that resulted in the contentious boundaries. For reasons unknown both parties chose not to use a tremendous amount of evidence. There are at least three filed surveys in the Jackson County Surveyor's Office that perpetuate the North Boundary of Volume 14 Page 200 of the Deed Records. There is also a suit to quiet title clearly shown on f.s.14932 that perpetuates the North and West boundaries of this same tract of land. Instead these two surveys create gaps and overlaps of approximately 10 feet in width along the adjoining properties. They make no attempt to retrace any unrecorded surveys. There are at least three unrecorded surveys based on recovered monumentation that substantiate the boundaries as shown by the suit to quiet title as well as the filed surveys. As if to leave all stones "unturned", artificial monuments were ignored, as well. These "artificial monuments" include several very old fence posts that probably pre-date this century. The condition, type of nails used, and construction of these posts (split rather than sawn) indicate their probable age. As most of these tract boundaries were established in the late 1800's these fence posts as well as the old City of Ashland survey field books are very important accessory evidence for Boundary Control. To ignore all of this readily available evidence raises disturbing questions regarding the execution of these surveys. Accordingly, the found monumentation of Braughton's and Edward's filed surveys are noted as references only to the recovered or re-established monumentation. To accept these surveys would be contrary to common law legal principles. Why did these surveys ignore Junior-Senior rights as a basic common law tenet to reconcile boundary overlaps? My survey holds the South boundary of Volume 14 Page 200 subordinate to the North line of Volume 8 Page 238 and thereby resolving any latent or patent ambiguities. A point on this boundary at the centerline of Granite Street was established by Ashland City Surveyor M.L. McCall as shown on Page 47 of his Field Book 5 in 1885. I was able to retrace this 1885 survey with very favorable results. Also of note, are the 3/4 inch iron pipes with nails in center, though of unknown origin these monuments were probably established near the turn of the century and reconciled the property lines at that time. McCall's hand written field notes and these monuments are testimony from the grave as to good boundary retracement and measurement technique, despite modern technology.

IN WITNESS WHEREOF, I have set my hand and seal this 25th day of August, 2000

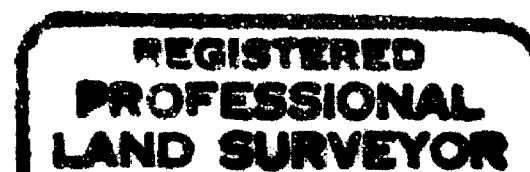
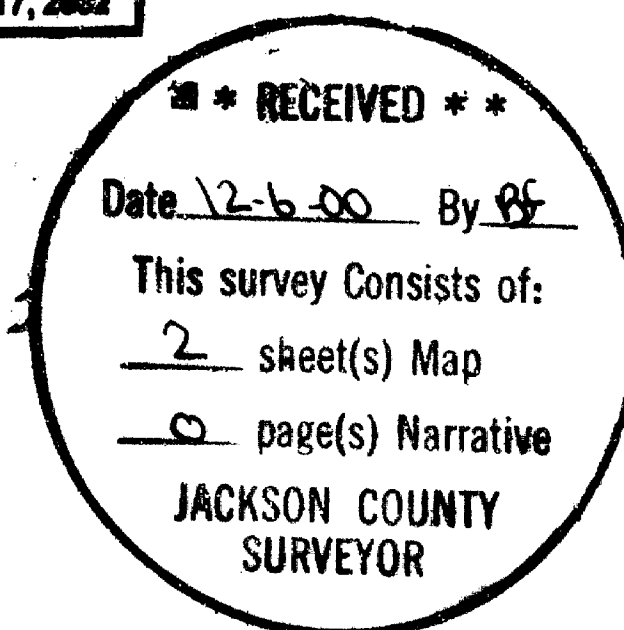
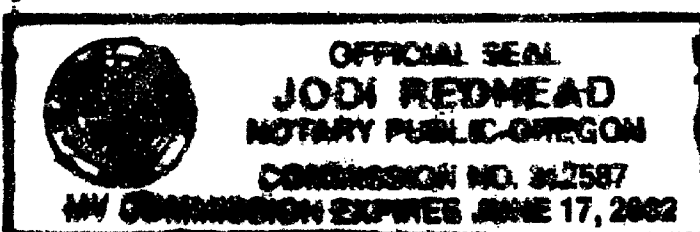
Harry R. Kannasto  
HARRY R. KANNASTO

STATE OF OREGON

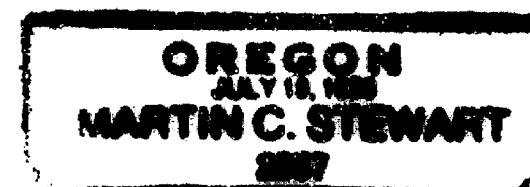
County of Jackson ) ss  
August 25 A.D. 2000

Personally appeared the above named Harry R. Kannasto, as trustee of the OTTO H. KANNASTO TRUST, and acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: Jodi Redhead



Martin C. Stewart



Surveyor's Registration  
Renewal Date is June 30, 2002

Tax Lot 900 of Assessor's Map 39s-1e-8da

file: 91e8ad-4.crd & 91e8ad7a.pl1  
job: 9919

sheet one of two