

PARTITION PLAT NO. P-73-2003

LOCATED IN THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF ASHLAND, JACKSON COUNTY, OR. SEPTEMBER 5, 2003

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS 2ND DAY OF DECEMBER, 2003 AT 2:32 O'CLOCK P.M. AND RECORDED AS PARTITION PLAT NO. P-73-2003 OF "RECORDS OF PARTITION PLATS" IN JACKSON COUNTY, OREGON. INDEX VOLUME 14 PAGE 73 KATHLEEN S. BECKETT CHERYL AUGERIS Deputy County Clerk OF THE JACKSON COUNTY SURVEYOR AS NO. 18003

APPROVALS [Signature] 10.31.2003
ASHLAND CITY PLANNING PA NO. 2003-051 DATE

EXAMINED AND APPROVED THIS 31 DAY OF October, 2003. [Signature]
CITY SURVEYOR

MAP PREPARED FOR RICHARD AND SHIARA KIRSCH 1205 TOLMAN CREEK ROAD ASHLAND, OREGON 97520

SURVEY BY: **TIMBERLINE KKB LAND SURVEYING**
KERRY K. BRADSHAW L.S. 2271
P.O. BOX 3084
CENTRAL POINT OREGON 97502
(541)664-7610 CELL 944-6692

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT RICHARD B. KIRSCH AND SHIARA L. KIRSCH ARE THE OWNERS OF THE REAL PROPERTY REPRESENTED ON THIS PARTITION PLAT AND MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE, AND HAVE CAUSED THE SAME TO BE PARTITIONED INTO PARCELS AS SHOWN HEREON. WE HEREBY CREATE THE STORM DRAIN EASEMENT ACROSS PARCEL 1 FOR THE BENEFIT OF THE OWNERS, THEIR HEIRS AND ASSIGNS OF PARCEL 2. WE ALSO CREATE THE 5 FOOT WIDE OVERHEAD POWER EASEMENT ACROSS PARCEL 2, FOR THE BENEFIT OF THE OWNERS, THEIR HEIRS AND ASSIGNS OF THE PARCEL LYING WEST OF SAID PARCEL 2. WE ALSO CREATE THE 10 FOOT WIDE IRRIGATION EASEMENT FOR THE BENEFIT OF TALENT IRRIGATION DISTRICT FOR ACCESS AND MAINTENANCE OF THE EXISTING IRRIGATION LINE.

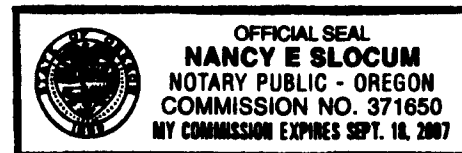
[Signature] [Signature]

IN WITNESS WHEREOF, SIGNED THIS 31st DAY OF October, 2003

STATE OF OREGON)
COUNTY OF JACKSON) SS.

THE FOREGOING INSTRUMENT WAS AKNOWLEDGED BEFORE ME THIS 31st DAY, OF October, 2003 BY RICHARD B. KIRSCH, KNOWN TO ME AS THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS HIS VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL.

[Signature]
NOTARY

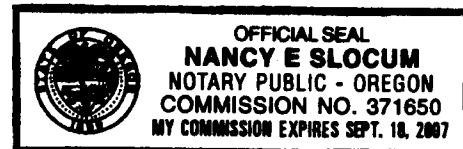


IN WITNESS WHEREOF, SIGNED THIS 31st DAY OF October, 2003

STATE OF OREGON)
COUNTY OF JACKSON) SS.

THE FOREGOING INSTRUMENT WAS AKNOWLEDGED BEFORE ME THIS 31st DAY, OF October, 2003 BY SHIARA L. KIRSCH, KNOWN TO ME AS THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS HER VOLUNTARY ACT AND DEED. WITNESS MY HAND AND OFFICIAL SEAL.

[Signature]
NOTARY



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

[Signature]

SURVEYOR'S CERTIFICATE

I, KERRY K. BRADSHAW, A DULY REGISTERED SURVEYOR OF THE STATE OF OREGON, DO HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME AND COMPLIES WITH THE REGULATIONS FOR LAND PARTITIONS AND THE FOLLOWING IS AN ACCURATE DESCRIPTION OF THE PARENT TRACT AS SET FORTH HEREON:

COMMENCING AT A 5/8" IRON PIN MARKING THE INTERSECTION OF THE WEST LINE OF TOLMAN CREEK ROAD AND THE SOUTHWEST LINE OF U.S. HIGHWAY NO. 99; THENCE SOUTH 00°02'19" EAST ALONG THE WEST LINE OF SAID TOLMAN CREEK ROAD, A DISTANCE OF 644.00 FEET TO A POINT LYING 1.00 FEET NORTH 00°02'19" WEST OF A LEAD PLUG AND TACK MONUMENT WITH A BRASS TAG STAMPED "LS 2271", SAID POINT MARKING THE INTERSECTION OF THE WEST LINE OF SAID TOLMAN CREEK ROAD AND THE SOUTH LINE OF BLACK OAK WAY; THENCE CONTINUE ALONG SAID WEST LINE, SOUTH 00°02'19" EAST, 99.00 FEET TO A 5/8" IRON PIN AND THE INITIAL POINT OF BEGINNING; THENCE NORTH 89°47'40" WEST, 185.45 FEET TO A 5/8" IRON PIN; THENCE NORTH 00°08'10" WEST, 99.00 FEET TO A 5/8" IRON PIN ON THE SOUTH LINE OF SAID BLACK OAK DRIVE; THENCE ALONG SAID SOUTH LINE, SOUTH 89°47'40" EAST, 185.62 FEET TO THE AFOREMENTIONED POINT OF THE WEST LINE OF TOLMAN CREEK ROAD, FROM WHICH A LEAD PLUG AND TAG BEAR SOUTH 00°02'19" EAST, 1.00 FEET; THENCE ALONG SAID WEST LINE OF TOLMAN CREEK ROAD SOUTH 00°19'02" EAST, 99.00 FEET TO THE POINT OF BEGINNING.



TAX STATEMENT

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS REQUIRED BY O.R.S. 92.095 HAVE BEEN PAID AS OF THIS 2 DAY OF DECEMBER, 2003.

[Signature] 12/2/03
ASSESSOR DATE
[Signature] 12/2/03
TAX COLLECTOR Deputy DATE

NARRATIVE

A SURVEY CONTROL TRAVERSE WAS ESTABLISHED IN THE SUBJECT AREA USING A WILD T-1000 TOTAL STATION. FOUND MONUMENTS FROM FILED SURVEYS 4472, 7199, 7289, 10947 AND 12828 WERE INCORPORATED IN AN OPEN ENDED TRAVERSE. THE FIELD DATA WAS ANALYZED AND COMPARISONS MADE WITH RECORD INFORMATION AND DEED DOCUMENTS. THE BOUNDARY WAS DETERMINED AND MAPPED AS SHOWN ON THE ATTACHED PLAT. THE POSITION OF BLACK OAK DRIVE ESSENTIALLY CONTROLLED THE BOUNDARY AND WAS STUDIED CAREFULLY. FILED SURVEY 4472 HAD DEVELOPED A BASIC LOCATION OF SAID STREET IN 1971 AND THIS SURVEY SEEMED TO VERIFY THE LOCATION AS SHOWN ON THIS PLAT. FOR WHATEVER REASON BLACK OAK WAY WAS CREATED WITH NON-PARALLEL SIDELINES BY VOLUME 344, PAGE 335. THE ALIGNMENT OF BELLVIEW AVENUE VARIES ON THE SEVERAL FILED SURVEYS IN THIS AREA. FOR THIS SURVEY IT WAS DECIDED TO HOLD THE FOUND MONUMENTS FROM FILED SURVEY 7289 AND GLYFADA SUBDIVISION (FS 8777) FOR THE ALIGNMENT OF THIS STREET, HOWEVER IT APPEARS THAT NO MATTER WHAT ALIGNMENT IS HELD, MOST CORRESPONDING MONUMENTS ON THE WEST STREET LINE WILL NOT MATCH PROPER WIDTH BY SEVERAL TENTHS OF A FOOT. IN ADDITION THE SURVEY WORK TO THE NORTH INDICATES A DIFFERENT ALIGNMENT FOR THIS NORTHERLY PORTION OF BELLVIEW AVENUE. IT SHOULD ALSO BE NOTED THAT ANALYSIS OF DEED DOCUMENTS SUGGESTS THAT THERE MAY BE A GAP OF ABOUT 6 FEET ORIGINATING SOMEWHERE IN THE PARCELS TO THE SOUTH OF THE SUBJECT PARCEL. ONE MIGHT SURMISE THAT THIS CONDITION RESULTED FROM THE SUBJECT PARCEL BEING DESCRIBED IN RELATION TO BLACK OAK WAY AND NOT TIED BY DEFINED CALLS TO THE OTHER PARCELS IN THIS AREA.

