

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that CALIFORNIA TOWNHOUSES, a Limited Partnership, hereinafter referred to as Declarant, is the fee title owner of the real property depicted hereon and more particularly described in the "SURVEYOR'S CERTIFICATE" herewith, and does hereby dedicate to the City of Phoenix for public use all public utility easements, the relocation of a portion of an existing water line easement, and a Pedestrian Access Easement, being within that area depicted hereon as COMMON SPACE, for the purpose of public access to utilize, construct, reconstruct and maintain a pedestrian trail and its appurtenances, and for the purpose of access to construct, reconstruct and maintain a sanitary sewer line and its appurtenances, as depicted hereon; and does hereby grant to the Medford Irrigation District, its successors and assigns, a perpetual right-of-way and easement for the purpose of access to an existing irrigation canal and access road, to construct, reconstruct, operate, repair and maintain said canal and road, and all related facilities over, across, through and under that area as depicted in Detail "A". Pursuant to this plat, the City of Phoenix does hereby accept the relocation of a portion of that certain water line easement per Document Number 85-09444, of the Official Records of Jackson County (and as depicted in Detail "C" hereon). Declarant shall be subject to the Declaration of Covenants and Restrictions as contained in Document Number 02-28403, amended by Document Number 02-55457, and amended by Document Number 04-8466, recorded February 19, 2004, of the Official Records of Jackson County, Oregon. Declarant has caused this tract of land to be surveyed and platted into lots, public easements, pedestrian access, and common space, as depicted hereon, and the number of each lot and the course and length of all lines are plainly set forth hereon, and this plat is a correct representation of the subdivision. Declarant hereby designates this subdivision as SKYLINE, PHASE 3, A PLANNED COMMUNITY.

Signed this 12 day of February, 2004.

Jack Davis, General Partner CALIFORNIA TOWNHOUSES; Larry Parducci, City of Phoenix Mayor

STATE OF OREGON } ss County of Jackson

Personally appeared the above named Jack Davis, known to me as the General Partner, and an authorized agent of CALIFORNIA TOWNHOUSES, a Limited Partnership, and acknowledged the foregoing instrument to be his voluntary act and deed.

WITNESS my hand and seal this 12 day of February, 2004.

Before me: Tiffany L. Pool, NOTARY PUBLIC-OREGON, COMMISSION NO.: 369620, MY COMMISSION EXPIRES: June 15, 2007

STATE OF OREGON } ss County of Jackson

Personally appeared the above named Larry Parducci, known to me as the Mayor of the CITY OF PHOENIX, on behalf of the CITY OF PHOENIX, a Municipal Corporation, and acknowledged the foregoing instrument to be their voluntary act and deed.

WITNESS my hand and seal this 12 day of February, 2004.

Before me: Mark Neathamer, NOTARY PUBLIC-OREGON, COMMISSION NO.: 374275, MY COMMISSION EXPIRES: Oct. 30, 2007

RELEASE

Umpqua Bank, as holders of beneficiary interest under that certain Trust Deed recorded May 21, 2001, as Instrument Number 01-24664, and modified by instrument recorded December 19, 2002, as Instrument Number 02-67842, of the Official Records of Jackson County, Oregon, affecting the land depicted hereon, do hereby release from lien of said Trust Deed all property described in the "DECLARATION" as being dedicated hereon to the City of Phoenix for public use.

Signed this 12 day of February, 2004.

Lori Williams, Vice President Umpqua Bank

STATE OF OREGON } ss County of Jackson

Personally appeared the above named Lori Williams, Vice President, Umpqua Bank, and acknowledged the foregoing instrument to be her voluntary act and deed.

WITNESS my hand and seal this 12 day of February, 2004.

Before me: Lori Williams, Pam Jenkins, NOTARY PUBLIC-OREGON, COMMISSION NO.: 345024, MY COMMISSION EXPIRES: 4-17-05

JACKSON COUNTY ASSESSOR'S MAP NO: 38 IN 158C, Tax Lots: 2600 and 10800

SKYLINE, PHASE 3 A PLANNED COMMUNITY

Located within Donation Land Claim Number 42 and Donation Land Claim Number 43, in the Northwest One-Quarter of Section 15, Township 38 South, Range 1 West, Willamette Meridian, City of Phoenix, Jackson County, Oregon

Prepared For:

CALIFORNIA TOWNHOUSES, C/O Jack Davis, 515 East Main Street, Ashland, Oregon 97520

SURVEYOR'S CERTIFICATE

I, Cael E. Neathamer, a Registered Professional Land Surveyor of the State of Oregon, do hereby certify that I have correctly surveyed and marked with the proper monuments as provided by law, the tract of land shown hereon and that this plat is a correct representation of said tract and that the following is an accurate description of the boundary:

All that real property situated within Donation Land Claim Number 42 and Number 43, in the Northwest One-Quarter of Section 15, Township 38 South, Range 1 West of the Willamette Meridian, in the City of Phoenix, Jackson County, Oregon, more particularly described as follows:

Commencing at a brass cap marking the Northwest Corner of Donation Land Claim Number 43, in said township and range; thence along the northerly line of said claim, North 84°55'21" East, a distance of 841.47 feet to Initial Point of Beginning; thence continue along said claim line North 84°55'21" East, a distance of 10.00 feet to the centerline of an irrigation canal; thence leaving said land claim line, and along said canal centerline, the following courses: South 13°56'48" West, a distance of 104.85 feet; thence South 13°34'14" West, a distance of 13.78 feet; thence South 07°51'48" West, a distance of 47.55 feet; thence South 07°14'43" West, a distance of 42.88 feet; thence South 20°28'22" West, a distance of 166.86 feet; thence South 20°26'42" West, a distance of 37.07 feet to the northeast corner of the tract described in Instrument recorded as Number 68-08551 of the Official Records of Jackson County, Oregon; thence along the northerly line of said tract, South 84°54'31" West, a distance of 234.52 feet to the southeasterly angle point of the exterior boundary of SKYLINE PHASE I, A PLANNED COMMUNITY, as recorded May 28, 2002, in Volume 28 of Plats at Page 29 of the Records of Jackson County, Oregon; thence leaving said northerly line and along the easterly boundary of said SKYLINE PHASE I, North 00°00'29" West, a distance of 16.47 feet to a point on the southerly right-of-way of Elm Street, being at the beginning of a curve concave to the northwest; thence along said easterly boundary and right-of-way the following courses: northeasterly along the arc of said curve, having a radius of 116.00 feet and a central angle of 64°28'53" (the long chord of which bears North 51°45'16" East, a distance of 123.77 feet); a distance of 130.55 feet; thence North 25°30'50" East, a distance of 37.25 feet; thence North 64°29'10" West, a distance of 2.00 feet; thence North 25°30'50" East, a distance of 58.82 feet to the beginning of a tangent curve to the left; thence along the arc of said curve, having a radius of 516.50 feet and a central angle of 15°16'11" (the long chord of which bears North 17°52'44" East, a distance of 137.24 feet); a distance of 137.65 feet; thence North 10°14'39" East, a distance of 145.56 feet to the beginning of a tangent curve to the left; thence along the arc of said curve, having a radius of 516.50 feet and a central angle of 13°18'54" (the long chord of which bears North 03°35'12" East, a distance of 119.76 feet); a distance of 120.03 feet; thence North 03°04'16" West, a distance of 237.76 feet to the beginning of a tangent curve to the right; thence along the arc of said curve, having a radius of 483.50 and a central angle of 05°03'13" (the long chord of which bears North 00°32'39" West, a distance of 42.63 feet); a distance of 42.64 feet; thence North 01°58'58" East, a distance of 122.34 feet to the beginning of a tangent curve to the left; thence along the arc of said curve, having a radius of 118.50 feet and a central angle of 25°23'17" (the long chord of which bears North 10°42'41" West, a distance of 52.08 feet); a distance of 52.51 feet to a point on the southerly boundary of the MCCLURG SUBDIVISION UNIT NO. 2, as recorded July 23, 1965, in Volume 10 of Plats at Page 10 of the Records of Jackson County, Oregon; thence leaving said right-of-way and along said boundary, North 84°06'46" East, a distance of 115.19 feet; thence leaving said boundary, South 06°23'34" East, a distance of 401.65 feet; thence South 01°40'21" West, a distance of 125.84 feet to the Initial Point of Beginning.

Cael E. Neathamer, Surveyor. I hereby certify that this is an exact copy of the original.

NOTES:

Refer to SKYLINE, PHASE I, A PLANNED COMMUNITY; as recorded May 28, 2002 in Volume 28 of Plats at Page 29 of the Records of Jackson County, Oregon, for centerline reference points.

Common Area is to be owned and maintained by the Home Owners Association for SKYLINE PHASE 3, A Planned Community. Refer to Covenants, Conditions and Restrictions as referenced in the "Declaration".

SKYLINE PHASE 3, A PLANNED COMMUNITY, IS SUBJECT TO THE FOLLOWING MATTERS OF RECORD, AND WERE LISTED ON THE TITLE REPORT:

The premises herein described are within and subject to the statutory powers, including the power of assessment, of the Rogue Valley Sewer Services (formerly known as Bear Creek Valley Sanitary Authority).

The effect of said property, or any part thereof, lying within the Medford Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said district.

Right(s)-of-way for the transmission and distribution of electricity, and for other purposes, granted to PacifiCorp, an Oregon Corporation, or its predecessor as contained in Volume 149, Page 61, Volume 149, Page 111, Volume 375, Page 366, Volume 375, Page 341, Volume 276, Page 12, and Volume 375, Page 358 of the Deed Records of Jackson County, Oregon. Also, Documents Numbered 87-02254, 87-24528 and 88-13864, recorded in the Official Records of Jackson County, Oregon. The location of the right(s)-of-way are blanket in nature and are determined not to be within the boundaries of this subdivision.

A perpetual, permanent right-of-way and easement 10-feet in width, to construct, reconstruct, operate, repair and maintain water lines and all necessary related facilities, as granted to the City of Phoenix, a municipal corporation, subject to the terms and provisions thereof, dated April 18, 1985, and recorded June 14, 1985, as number 85-09444 of the Official Records of Jackson County, Oregon, as depicted hereon.

Agreement, subject to the terms and provisions thereof, regarding property development, with the City of Phoenix, a Municipal Corporation, recorded June 20, 1979 as Document Number 79-12549, of the Official Records of Jackson County, Oregon.

An appurtenance, being a perpetual and non-exclusive easement for installation and maintenance of a pipeline for transmission of storm water run-off, subject to the terms and provisions thereof, as recorded February 8, 2002, as per Document Number 02-07026 of the Official Records of Jackson County, Oregon.

Utilities easements, subject to the terms and provisions thereof, recorded May 10, 2002, as Document Number 02-25460, of the Official Records of Jackson County, Oregon. The following were listed on said title report, but are not located within the boundaries of this subdivision: Volume 109, Page 458; Volume 114, Page 251 (Circuit Court of Oregon for Jackson County Case Number 52-564L); Document Number 67-07474; Document Number 72-01187; Document Number 84-16710 and Document Number 00-33738.

Projects N:\NSI Projects\California Townhouses\PHOENIX SKYLINE\Phases 2-3\PH3 Final Plat.plr

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

Purpose: Perform a boundary survey and prepare a Final Plat for a Planned Community, pursuant to Client's instructions and as approved by the City of Phoenix Planning Commission, Files Numbered: FUD03-XX and SUB03-XX.

Procedure: Utilizing a Nikon DTM-520 and a Ranger 200-R with TDS software, all found monuments were tied in a closed traverse. Based on said traverse and monuments, Document Numbers: 92-24361, 93-09699; and, Surveys Numbered: 7625, 10212, 11753, 13141 and 17353, resultant boundaries and interior lots were computed and monumented as depicted hereon.

APPROVALS:

I certify that, pursuant to the authority granted to me, that this plat is hereby approved.

Denis Murray, Planning Director, 2-12-04 Date

Examined and approved this 12 day of FEBRUARY, 2004.

Scott S. Pingle, City Engineer

Examined and approved this 12th day of FEBRUARY, 2004.

Roger Roberts, Jackson County Surveyor

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095 have been paid as of February 17, 2004.

James Clark, Deputy Tax Collector

Examined and approved as required by O.R.S. 92.100 this 17th day of February, 2004.

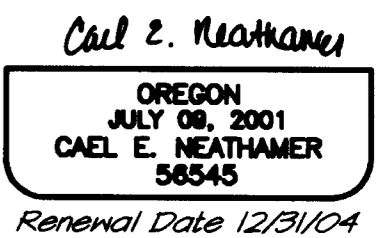
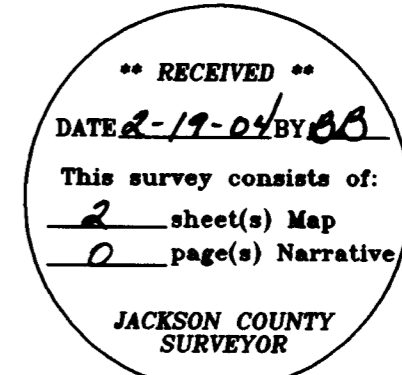
Calvin G. Deputy Assessor

RECORDING

FILED FOR RECORD THIS THE 19 DAY OF February, 2004, AT 10:30 O'CLOCK A.M. AND RECORDED IN VOLUME 30 OF PLATS AT PAGE 12 OF THE RECORDS OF JACKSON COUNTY, OREGON.

FOR THE ORDER OF THE COUNTY COURT APPROVING THIS PLAT SEE COMMISSIONERS JOURNAL, VOLUME 806, PAGE 142.

Rathlen A. Beckett, County Clerk; Geraldine Cutting, Deputy



PREPARED BY: Neathamer Surveying, Inc. 100 East Main St., Suite N P.O. Box 1574 Medford, Oregon 97501 Phone (541) 732-2869 FAX (541) 732-1382

PROJECT NUMBER: 01029-A DATE: February 12, 2004 Sheet 1 of 2 © EN

Prepared For:

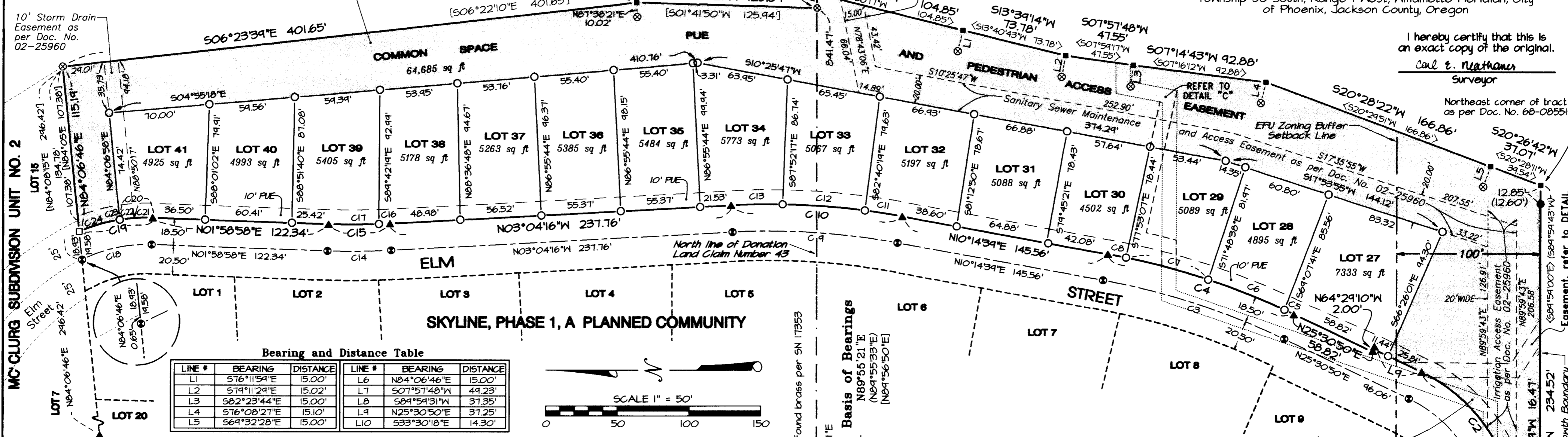
CALIFORNIA TOWNHOUSES
C/O Jack Davis
515 East Main Street
Ashland, Oregon 97520

A found 3-inch diameter brass cap marking the Northeast Corner of Donation Land Claim Number 43, as per the Jackson County Surveyors re-establishment report dated June 19, 1987.

TENTATIVE SUBDIVISION PLAT FOR:
SKYLINE, PHASE 3
A PLANNED COMMUNITY

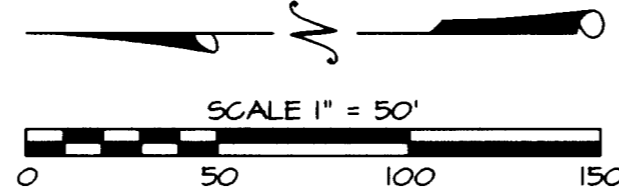
Located within Donation Land Claim Number 42 and Donation Land Claim Number 43, in the Northwest One-Quarter of Section 15, Township 38 South, Range 1 West, Willamette Meridian, City of Phoenix, Jackson County, Oregon

I hereby certify that this is an exact copy of the original.
Carl E. Neathamer
Surveyor

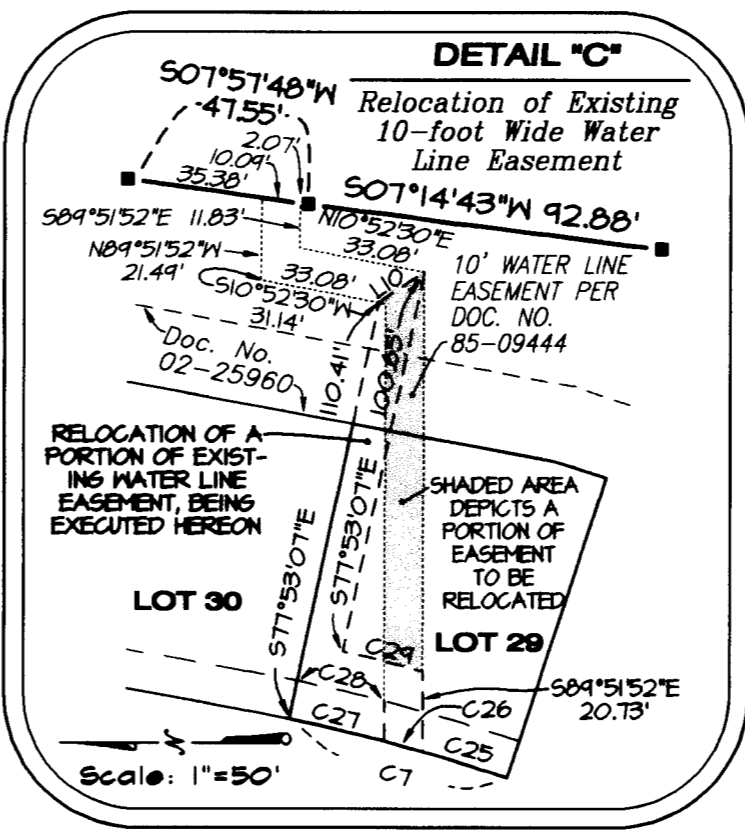
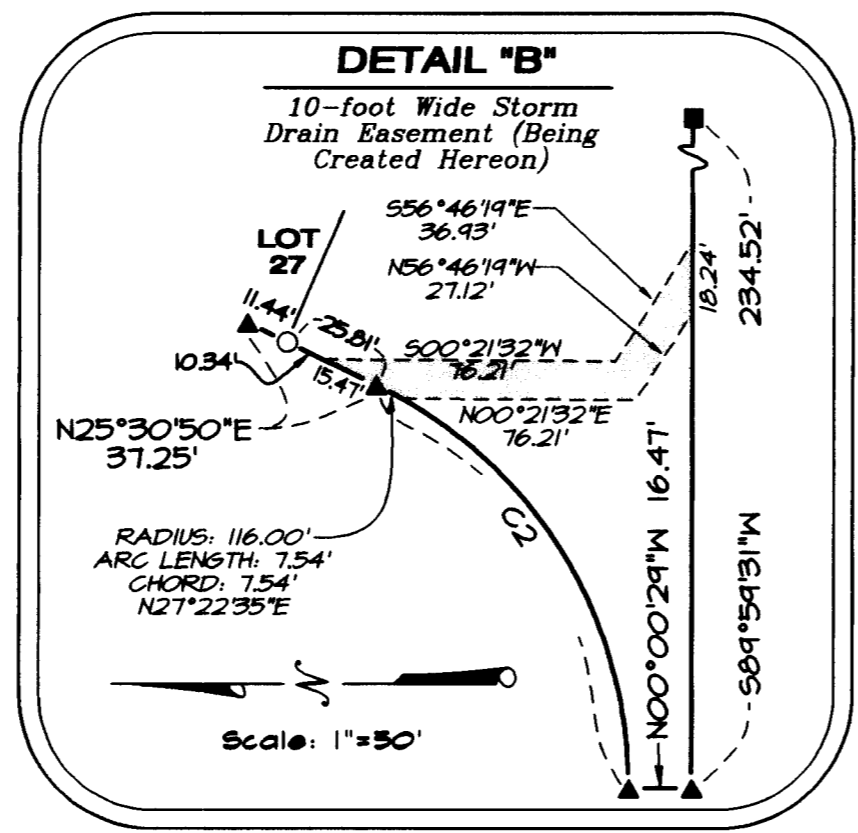
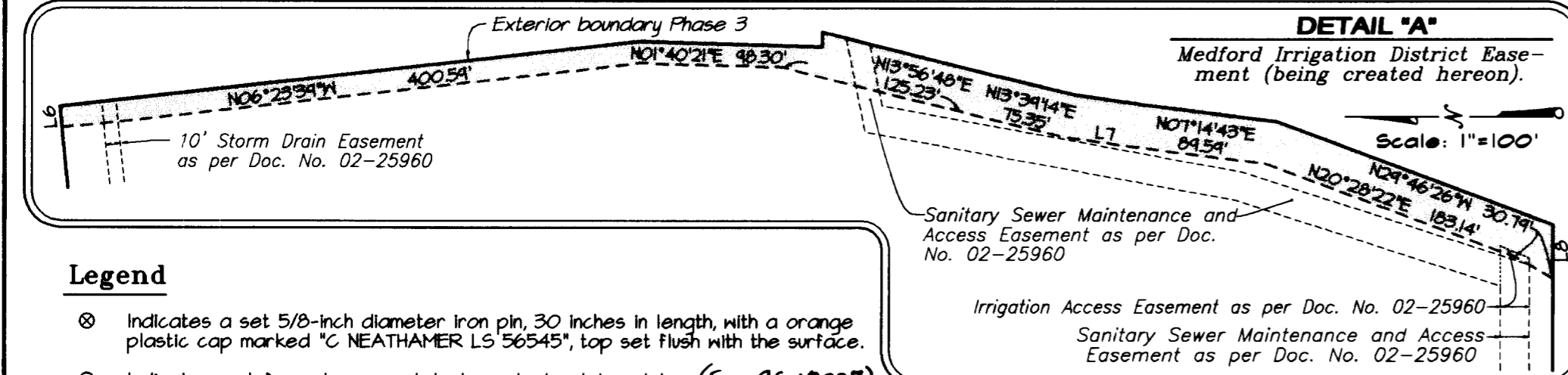


Bearing and Distance Table

LINE #	BEARING	DISTANCE	LINE #	BEARING	DISTANCE
L1	S76°11'59"E	15.00'	L6	N84°06'46"E	15.00'
L2	S74°11'29"E	15.02'	L7	S07°57'48"W	49.23'
L3	S82°23'44"E	15.00'	L8	S84°59'31"W	37.35'
L4	S76°08'27"E	15.10'	L9	N25°30'50"E	37.25'
L5	S69°32'28"E	15.00'	L10	S33°30'18"E	14.30'



- Legend**
- ⊗ Indicates a set 5/8-inch diameter iron pin, 30 inches in length, with a orange plastic cap marked "C NEATHAMER LS 56545", top set flush with the surface.
 - Indicates a deferred monument, to be set at a later date. (See CS 18907)
 - Indicates a set 38-caliber shell set in concrete with a tack and a brass tag marked "NEATHAMER LS 56545".
 - Indicates a found 38-caliber shell set in concrete with a tack and a brass tag marked "NEATHAMER LS 56545". Refer to SN 17353.
 - ⊙ Indicates a found 5/8-inch diameter iron pin, with an aluminum cap marked "C/L MON LS 56545". Refer to SN 17353.
 - ▲ Indicates a found 5/8-inch diameter iron pin, with a orange plastic cap marked "C NEATHAMER LS 56545". Refer to SN 17353.
 - Indicates a found 5/8-inch diameter iron pin, with a red plastic cap marked "DA EDWARDS LS 23391" (refer to SN 13141), unless otherwise noted hereon.
 - △ Indicates a monument as described hereon.
 - Indicates a calculated position.
 - SN Indicates a survey filed by number in the office of the Jackson County Surveyor.
 - PUE Indicates a public utility easement for electric, telephone, gas, water, cable television, communications, sanitary sewer, storm drainage, sidewalk, construction and maintenance, as being created hereon.
 - Doc. No. Indicates an instrument recorded by number of the Official Records of Jackson County, Oregon.
 - SF Indicates the number of square feet within a closed area such as a lot.
 - [] Indicates record information as per SN 7625.
 - () Indicates record information as per SN 13141.
 - < > Indicates record information as per SN 11753.
 - Indicates an existing fence.



POST MONUMENTATION CERTIFICATE:

All monuments being deferred hereon, shall be set on or before the 1 day of MARCH, 2006.

Carl E. Neathamer
SURVEYOR

All deferred monuments now set this 27th day of SEPTEMBER, 2005. Refer to Document Number CS 18372, of the Official Records of Jackson County, Oregon. (CS 18907)

Roger Roberts
COUNTY SURVEYOR

Street Centerline and Right-of-way Curve Table

CURVE #	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	64°28'53"	95.50'	107.48'	N57°45'16"E	101.84'
C2	64°28'53"	116.00'	130.55'	N57°45'16"E	123.77'
C3	15°16'11"	448.00'	132.72'	N17°52'44"E	132.33'
C4	15°16'11"	516.50'	137.65'	N17°52'44"E	137.24'
C5	00°57'22"	516.50'	8.62'	N25°02'09"E	8.62'
C6	06°18'47"	516.50'	56.91'	N21°24'05"E	56.88'
C7	06°33'30"	516.50'	54.12'	N14°57'56"E	54.09'
C8	01°26'32"	516.50'	13.00'	N10°51'55"E	13.00'
C9	13°18'54"	448.00'	115.73'	N03°35'12"E	115.47'
C10	13°18'54"	516.50'	120.03'	N03°35'12"E	119.76'
C11	02°54'58"	516.50'	26.29'	N08°47'10"E	26.28'
C12	06°23'24"	516.50'	57.62'	N04°07'56"E	57.54'
C13	04°00'27"	516.50'	36.13'	N01°04'02"W	36.12'
C14	05°03'13"	502.00'	44.28'	N00°32'39"W	44.26'
C15	05°03'13"	483.50'	42.65'	N00°32'39"W	42.63'
C16	00°54'12"	483.50'	7.62'	N02°37'10"W	7.62'
C17	04°09'02"	483.50'	35.02'	N00°05'33"W	35.02'
C18	28°46'02"	100.00'	50.21'	N12°24'03"W	44.68'
C19	25°23'17"	118.50'	52.51'	N10°42'41"W	52.08'
C20	11°05'40"	118.50'	22.95'	N03°33'52"W	22.91'
C21	06°51'27"	118.50'	12.94'	N01°08'45"W	12.94'
C22	04°50'13"	118.50'	10.01'	N06°41'35"W	10.00'
C23	04°51'31"	118.50'	10.05'	N11°32'30"W	10.05'
C24	09°26'01"	118.50'	19.51'	N18°41'19"W	19.49'
C25	02°35'05"	516.50'	23.30'	N16°57'09"E	23.30'
C26	01°08'54"	516.50'	10.35'	N15°05'10"E	10.35'
C27	02°49'32"	516.50'	25.47'	N13°05'57"E	25.47'
C28	02°32'19"	526.50'	23.33'	N12°57'50"E	23.33'
C29	02°17'51"	536.50'	21.51'	N13°55'09"E	21.51'

JACKSON COUNTY SURVEYOR
RECEIVED
DATE 2-19-04 BY BB
This survey consists of:
2 sheet(s) Map
0 page(s) Narrative

REGISTERED PROFESSIONAL LAND SURVEYOR

Carl E. Neathamer
OREGON
JULY 08, 2001
CAEL E. NEATHAMER
58545
Renewal Date 12/31/04

Basis of Bearings:

The North line of Donation Land Claim Number 43, as depicted on SKYLINE, PHASE 1, A PLANNED COMMUNITY, recorded on May 28, 2002, in Volume 28 of Plats at Page 29 of the Records of Jackson County, Oregon, and filed as Survey Number 17353, in the office of the Jackson County, Surveyor. Bearing base applied to the line between the found monuments at the Northwest and Northeast corners of said claim line.