

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that WILLIAM L. REAGAN and IRIS F. REAGAN, as tenants by the entirety, hereinafter as Declarants, are the fee title owners of the real property depicted hereon and more particularly described in the "SURVEYOR'S CERTIFICATE" herewith, do hereby dedicate to the City of Medford for public use all streets, and public utility easements, as shown hereon. Declarants hereby create private storm drain easements, for the use and benefit of Lots 1-5 inclusive and Lots 6-10 inclusive, labeled hereon as a 10-foot wide private storm drain easement. Further, Declarants convey in fee simple, to the City of Medford, those areas portrayed and designated hereon as a one-foot street plugs. By the approval of this plat, the City of Medford declares that upon dedication of the extension of the affected streets, it thereby dedicates the street plugs for public street purposes.

Declarants have caused this tract of land to be surveyed and platted into lots, streets and public utility easements, as shown 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. Declarants hereby designate this subdivision as EVERGREEN COUNTRY ESTATES.

IN WITNESS WHEREOF, signed this 5 day of MARCH, 2004.

William L. Reagan, Iris F. Reagan (Signatures and names)

STATE OF OREGON } ss
County of Jackson

Before me, the undersigned Notary Public, personally appeared the above named WILLIAM L. REAGAN and IRIS F. REAGAN, known to me, and acknowledged the foregoing instrument, to be their voluntary act and deed.

WITNESS my hand and seal this 5 day of MARCH, 2004.

Logan Miles, Notary Public-Oregon, Commission No. 359839, My Commission Expires July 29, 2006

RELEASE

DeCarlow Homes, Inc., as holders of beneficiary interest under that certain Trust Deed, dated January 10, 2003, and recorded January 13, 2003, as Instrument Number 03-02169, 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 "SURVEYOR'S CERTIFICATE" hereon, dedicated to public use.

Signed this 5 day of MARCH, 2004.

Roy Curl JR., President, DeCarlow Homes, Inc. (Signature)

STATE OF OREGON } ss
County of Jackson

Personally appeared the above named Roy Curl JR., known to me as the President, DeCarlow Homes, Inc..

WITNESS my hand and seal this 5 day of MARCH, 2004.

Logan Miles, Notary Public-Oregon, Commission No. 359839, My Commission Expires July 29, 2006

NARRATIVE TO COMPLY WITH O.R.S. 209.250

Purpose: To survey and monument Client's property pursuant to the conditionally approved Tentative Subdivision Plat, File Number LD5-03-29, April 24, 2003.

Procedure: Utilizing a Nikon DTM-520 Total Station, and a Ranger 200R Data Collector with TDS software, and Trimble 5700 GPS equipment, with a TSCE Data Collector, all found monuments, as depicted hereon, were tied in a closed loop traverse. Based on said traverse, instruments numbered 91-04418, 03-02166, 04-003785 and 04-003786 of the Official Records of Jackson County, Oregon, Surveys Numbered 118, 3344, 10862, 16542 and 16784 all on file in the office of the Jackson County Surveyor, the project boundaries and interior lots were computed and monumented as depicted hereon.

Evergreen Country Estates, shall be subject to the Covenants, Conditions and Restrictions as contained in Document Number 04-15336 recorded March 24, 2004, Official Records of Jackson County, Oregon.

EVERGREEN COUNTRY ESTATES
A Subdivision

Located in the Southwest One-quarter of Section 36, Township 37 South, Range 2 West and Northwest One-quarter of Section 1, Township 38 South, Range 2 West of the Willamette Meridian, City of Medford Jackson County, Oregon.

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 certain real property described in Document Number 04-003786 and as TRACT A of Document Number 03-02166 of the Official Records of Jackson County, Oregon, being located within in the Northwest One-quarter of the Southwest One-quarter of Section 36, Township 37 South, Range 2 West and Northwest One-quarter of Section 1, Township 38 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, being more particularly described as follows:

Commencing at the northeast corner of Donation Land Claim Number 82 located in Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, thence West 2852.3 feet; thence South 0°04' West 1248.1 feet; thence West 823.2 feet; and thence South 89°56' West 470.5 feet to the northeast corner of Lot 7 of an un-recorded subdivision, filed as Survey Number 16592 in the office of the Jackson County Surveyor, the northeast corner of said TRACT A, the Initial Point and the True Point of Beginning, point also being South, 1247.29 feet and West, 4158.12 feet from said northeast corner of Donation Land Claim Number 82; thence, along the east line of said TRACT A, South 00°04'40" West, a distance of 353.96 feet to the northerly right-of-way line of Orchard Home Court, a public road; thence, along said right-of-way, North 89°51'16" West, a distance of 310.18 feet to the west line of said Document Number 04-003785; thence, along said west line, North 00°04'40" East, a distance of 353.06 feet; thence, North 89°58'44" East, a distance of 310.18 feet the True Point of Beginning.

Cael E. Neathamer, Surveyor (Signature)

NOTES:

Spruce Way is proposed as a residential lane with parking on one side.

Access to Lots 1 and 10 restricted to Orchard Home Court; Access to Lots 5 and 6 restricted to Spruce Way.

The existing home located on Lot 1 is 15 feet in height, providing adequate structural setbacks from proposed lot lines.

The existing garage located on Lot 1 is 13.7 feet in height, providing adequate structural setbacks from proposed lot lines.

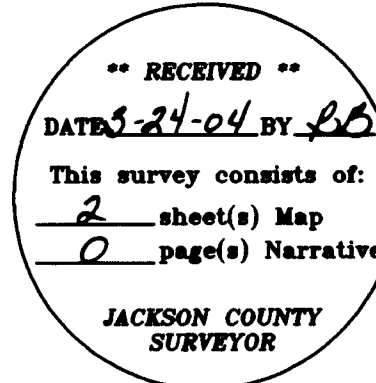
The existing home located on Lot 10 is 17.5 feet in height, providing adequate structural setbacks from proposed lot lines.

Assignment of Leases and Rents, subject to the terms and provisions thereof, dated January 10 2003, and recorded January 13, 2003 as Document Number 02-02168, of the Official Records of Jackson County, Oregon.

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, including any and all assessments, liens and charges assessed, and to be assessed.

"Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE."

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



PREPARED FOR:

VESTA ENTERPRISES, INC.
3501 Cherry Lane
Medford, Oregon 97504

RELEASE

PremierWest Bank, as holders of beneficiary interest under that certain Trust Deed, dated January 10, 2003 and Recorded January 13, 2003, and recorded as Document Number 03-02167, modified by Instrument Number 03-62527, Official Records of Jackson County, Oregon, dated September 8, 2003, and recorded September 11, 2003, subject to the terms and provisions thereof, and Assignment of Leases and Rents, dated January 10, 2003 and Recorded January 13, 2003, and recorded as Document Number 03-02168, of the Official Records of Jackson County, Oregon, affecting the land depicted hereon, do hereby release from lien of said trust deed and Assignment of Leases and Rents, all property described in the "SURVEYOR'S CERTIFICATE" hereon, dedicated to public use.

Signed this 6 day of MARCH, 2004.

Jerry Herbold, Vice President, PremierWest Bank (Signature)

STATE OF OREGON } ss
County of Josephine

Personally appeared the above named Jerry Herbold, known to me as the Vice President, PremierWest Bank.

WITNESS my hand and seal this 6 day of MARCH, 2004.

Logan Miles, Notary Public-Oregon, Commission No. 359839, My Commission Expires July 29, 2006

APPROVALS:

I certify that, pursuant to the authority granted in Ordinance Number 5785, this plat is hereby approved.

Paul O. Smith, Planning Director, March 18, 2004 (Signature and Date)

Examined and approved this 9th day of March, 2004.

Louanna Boston, City Engineer, Paul O. Smith, City Surveyor (Signatures)

All taxes, fees, assessments, or other charges as required by O.R.S. 92.045 have been paid as of March 19, 2004.

Jamice Clark, Deputy, Tax Collector (Signature and Title)

Examined and approved as required by O.R.S. 92.100 this 19th day of MARCH, 2004.

DAN ROSS, Assessor, William Johnson, Deputy (Signatures and Titles)

RECORDING:

FILED FOR RECORD THIS THE 24 DAY OF March, 2004 AT 1:17 O'CLOCK PM AND RECORDED IN VOLUME 30 OF PLATS AT PAGE 15 OF THE RECORDS OF JACKSON COUNTY, OREGON.

FOR THE ORDER OF THE COUNTY COURT APPROVING THIS PLAT SEE COMMISSIONERS JOURNAL, VOLUME 206, PAGE 1814

Kathleen S. Beckett, County Clerk, Geraldine Cutting, Deputy (Signatures and Titles)



Cael E. Neathamer, Oregon July 08, 2001, Cael E. Neathamer 58545, Renewal Date 12/31/04

PREPARED BY: Neathamer Surveying, Inc. 100 East Main St. Suite N P.O. Box 1584 Medford, Oregon 97501-0120 Phone (541) 732-2869 FAX (541) 732-1382

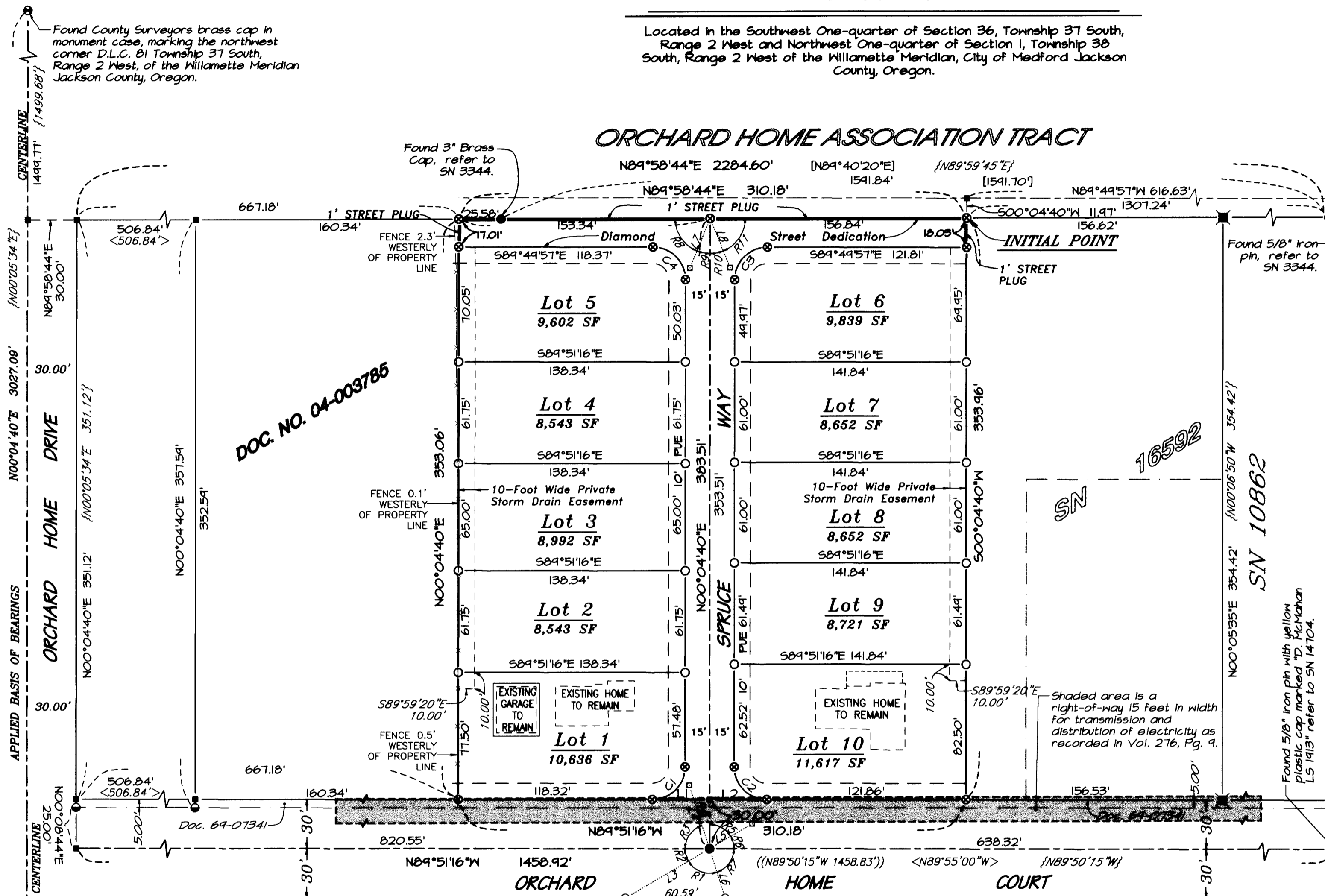
DATE: March 5, 2004 PROJECT NUMBER: 02064 Sheet 1 of 2

# EVERGREEN COUNTRY ESTATES A Subdivision

Located in the Southwest One-quarter of Section 36, Township 37 South, Range 2 West and Northwest One-quarter of Section 1, Township 38 South, Range 2 West of the Willamette Meridian, City of Medford Jackson County, Oregon.

PREPARED FOR:  
**VESTA ENTERPRISES, INC.**  
3501 Cherry Lane  
Medford, Oregon 97504

## ORCHARD HOME ASSOCIATION TRACT



- LEGEND:**
- ⊙ Indicates a set 5/8-inch diameter iron pin, 30 inches in length, with an orange plastic cap marked "C NEATHAMER LS 56545", top set flush with the surface.
  - Indicates a set 5/8-inch diameter iron pin, 24 inches in length, with a orange plastic cap marked "C NEATHAMER LS 56545", top set flush with the surface.
  - Indicates a set 5/8-inch diameter iron pin, 30 inches in length with an orange plastic cap marked "C/L MON LS 56545", top set flush with the pavement.
  - Indicates a set 3/8-caliber shell casing with brass tag marked "NEATHAMER LS 56545" set in curb line, top set at or just below the surface.
  - ⊙ Indicates a found Brass Cap as noted hereon.
  - Indicates found monument, as noted hereon.
  - Indicates a found 3/4-inch diameter iron pipe, refer to SN 16592, unless otherwise noted hereon.
  - ⊙ Indicates a found 5/8-inch diameter iron pin with yellow plastic cap marked "R.L.S 636", refer to SN 10862 unless otherwise noted hereon.
  - Indicates a computed position, no monument found or set.
  - 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, construction and maintenance thereof, as being created hereon.
  - Doc. No. Indicates an instrument recorded by number of the Official Records of Jackson County, Oregon.
  - Vol. Pg. Indicates a Volume and Page of the Deed Records of Jackson County, Oregon.
  - S.F. Indicates the number of square feet within a closed area, such as a lot.
  - D.L.C. Indicates a Donation Land Claim Number.
  - < > Indicates record information as per SN 16592.
  - (( )) Indicates record information as per SN 16784.
  - { } Indicates record information as per SN 10862.
  - [ ] Indicates record information as per SN 3344.
  - Indicates an existing fence line.

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	N89°51'16"W	35.02'
L2	N89°51'16"W	34.98'
L3	S59°51'55"E	54.45'
L4	N17°37'51"W	40.64'
L5	N59°51'55"E	30.13'
L6	S17°37'51"E	31.44'
L7	S22°15'16"W	32.78'
L8	S21°56'25"E	32.55'

**ANGLE TABLE**

ANGLE #	ANGLE
R1	77°29'46"
R2	30°16'44"
R3	72°13'25"
R4	17°42'30"
R5	54°47'16"
R6	30°16'44"
R7	72°13'25"
R8	67°47'20"
R9	22°06'44"
R10	22°01'05"
R11	68°04'51"

**CURVE TABLE**

CURVE #	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°04'05"	20.00'	31.44'	S45°06'42"W	28.30'
C2	84°55'55"	20.00'	31.34'	N44°53'18"W	28.27'
C3	90°05'24"	20.00'	31.45'	N45°07'22"E	28.31'
C4	84°54'36"	20.00'	31.38'	S44°52'38"E	28.26'

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

RECEIVED  
DATE 3-24-04 BY [Signature]  
This survey consists of:  
2 sheet(s) Map  
0 page(s) Narrative  
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
JULY 08, 2001  
CAEL E. NEATHAMER  
56545  
Renewal Date 12/31/04

**Basis of Bearings:**  
Geodetic North based on WGS 84 Datum, established by Global Positioning System Observations. Bearing applied to the Donation Land Claim along the centerline of Orchard Home Drive between the northwest corner of Donation Land Claim Number 81, located in Township 37 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon, and the southwest corner of Donation Land Claim Number 39, located in Township 38 South, Range 2 West of the Willamette Meridian, Jackson County, Oregon.

PREPARED BY: **Neatham Surveying, Inc.**  
100 East Main St. Suite N  
P.O. Box 1584  
Medford, Oregon 97501-0120  
Phone (541) 732-2869  
FAX (541) 732-1382

DATE: March 5, 2004 PROJECT NUMBER: 02064  
Sheet 2 of 2

