

APPROVAL: *Bill [Signature]* 9.30.2004
ASHLAND PLANNING DEPARTMENT DATE
PA # 2004-040

LAND PARTITION SURVEY

PARTITION PLAT NO. P- 62 -2004

Located in the NW/4 of Section 5, T39S, R1E, W.M.

In the City of Ashland, Jackson County, Oregon

APPROVAL:
EXAMINED AND APPROVED THIS 29th DAY OF Sept., 2004.
Jann [Signature]
CITY SURVEYOR

for
Dan Heller
872 "B" Street
Ashland, OR 97520

SURVEY BY :
HARDEY ENGINEERING & ASSOC. INC.
BY: RICHARD L. BATH LS 1069
P.O. BOX 1625
MEDFORD, OREGON 97501-0124

September 13, 2004

RECORDER'S CERTIFICATE:

Filed for record this 01 day of October, 2004 at 2:04 O'Clock, P.M.
and recorded as PARTITION PLAT NO. P- 62-2004 in "RECORD OF PARTITION PLATS" in

Jackson County, Oregon. INDEX VOLUME 15 PAGE 62

Kathleen [Signature] County Clerk
Geraldine [Signature] Deputy

Filed in the office of Jackson County Surveyor as Survey No. 18449

ASSESSOR / TAX COLLECTOR:

All taxes, fees, assessments or other charges as required by O.R.S. 92.095

have been paid as of October 1st, 2004.

Christopher [Signature] Assessor 10/1/04 Date
Patty [Signature] Tax Collector 10-1-04 Date



GRAPHIC SCALE



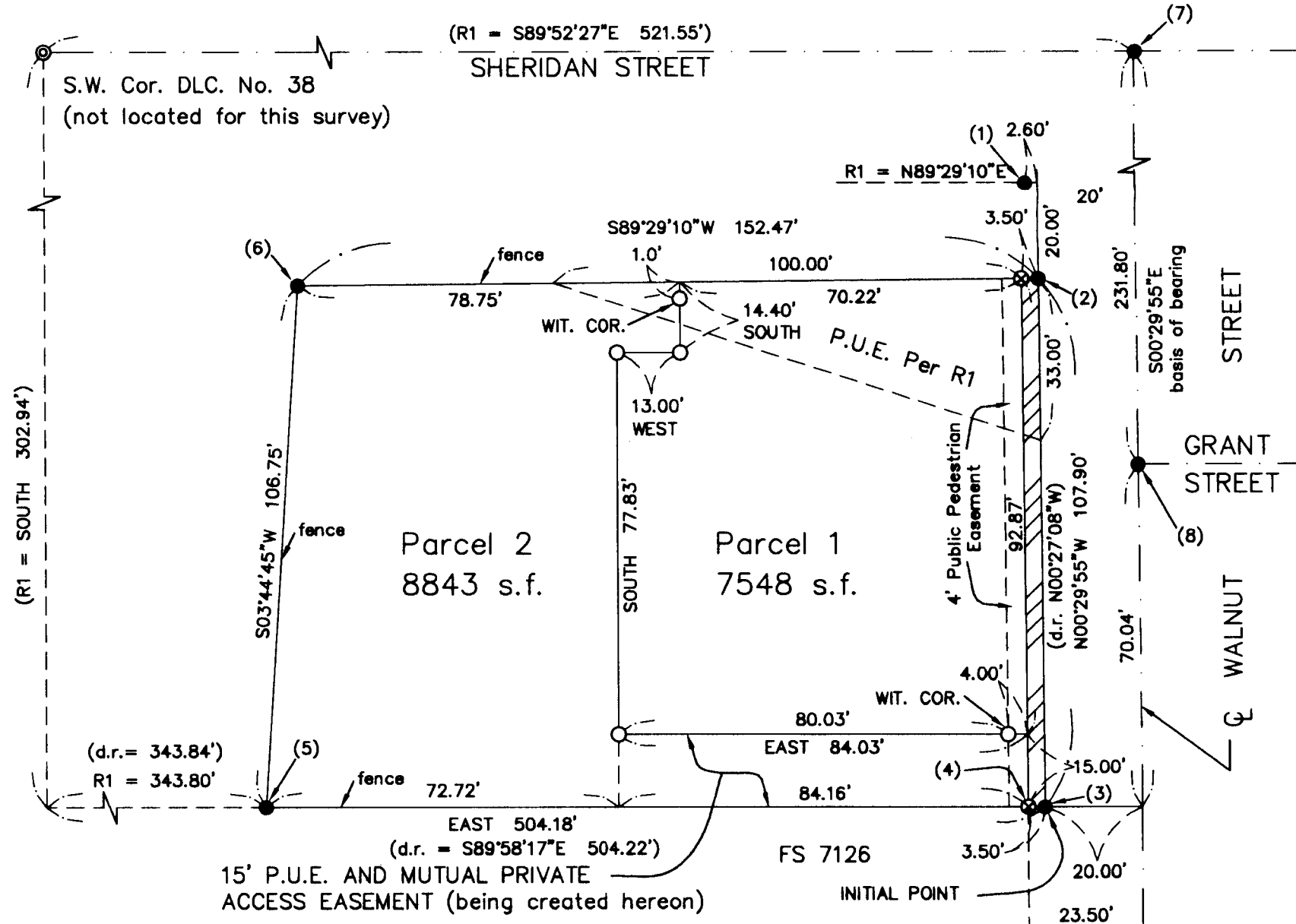
(IN FEET)
1 inch = 30 ft.

*** DECLARATION ***

KNOW ALL MEN BY THESE PRESENTS, that we, Dan Heller, Stephen J. Sacks and Paul Rostykus, each as to an undivided 1/3 rd interest, as tenants in common, are the owners in fee simple of the lands hereon described, and have caused the same to be surveyed and partitioned into two parcels as shown hereon, and the size of all parcels and the course and length of all boundaries are plainly set forth, and that this plat is a correct representation of the partition. We do hereby dedicate to the City of Ashland the 3.50 foot wide strip of land along the entire east boundary as shown, a 15.00 foot wide Public Utility Easement (PUE) within the flag portion of Parcel No. 2 and a 4.00 foot wide public pedestrian easement along the east boundaries of both Parcel No. 1 and 2 as shown. We do further create a 15 foot wide private mutual access easement within the flag portion of Parcel No. 2, as shown.

LEGEND

- o = SET 5/8" x 24" Rebar with orange plastic cap marked "HARDEY ENG. & ASSOC."
- = SET 5/8" x 30" Rebar with orange plastic cap marked "HARDEY ENG. & ASSOC."
- R1 = FS 11490
- = FD 5/8" Rebar with plastic cap marked "R.L.S. 638" per R1 unless otherwise noted
- d.r. = deed record measurement
- FS = Filed Survey No., Jackson County Surveyor's Office
- ▨ = Area to be dedicated for street purposes
- P.U.E. = Easement for public utilities, storm drainage, gas, water, electric, telephone, cable television and sanitary sewer construction and maintenance.



AFFIDAVIT of DECLARATION APPROVAL

For fee owner, vendoe or the mortgage or trust deed holder, complying with ORS 92.075 (4), see Document No.(s) 04-57864 Official Records, Jackson County, Oregon

I HEREBY CERTIFY THIS PLAT TO BE AN EXACT COPY OF THE ORIGINAL PLAT.

Richard L. Bath
RICHARD L. BATH P.L.S. 1069

REGISTERED PROFESSIONAL LAND SURVEYOR
Richard L. Bath
OREGON
JULY 30, 1976
RICHARD L. BATH
No. 1069
RENEWS 12/31/05

*** SURVEYOR'S CERTIFICATE ***

I, Richard L. Bath, do hereby certify that I am a duly Registered Land Surveyor of the State of Oregon, License No. 1069, and I further do hereby declare that this plat correctly represents a survey made by me or under my direction, and that I have correctly surveyed and marked with proper monuments the tract of land hereon shown, and that said plat and survey conform with the ordinances of the City of Ashland, and the statutes of the State of Oregon, and that the following is an accurate survey and title description of said tract's exterior boundary:

Commencing at the Southwest corner of Donation Land Claim No. 38, in Section 5, Township 39 South, Range 1 East of the Willamette Meridian in Jackson County, Oregon, thence South 302.94 feet, thence East 504.18 feet (deed record South 89°58'17" East 504.22 feet) to a 5/8 inch rebar with plastic cap marking the southeast corner of the tract described in deed recorded as No. 2004-037673 of the Official Records of Jackson County, Oregon, for the initial point of beginning, said point being situated on the west right of way line of Walnut Street, thence North 00°29'55" West (deed record North 00°27'08" West) 107.90 feet to the northeast corner thereof; thence South 89°29'10" West 152.47 feet to the northwest corner thereof; thence South 03°44'45" West 106.75 feet to the southwest corner thereof; thence East (deed record South 89°58'17" East) 160.38 feet to the initial point of beginning.

Fd. Monument relative positions

- (1) Fd. rebar & cap 5" deep
- (2) Fd. rebar & cap 2" deep, disturbed N33°35'W 0.45' from record position
- (3) Fd. rebar & cap flush
- (4) Fd. 5/8" rebar 2" deep, disturbed S06°18'W 0.42' from "HEA" cap
- (5) Fd. rebar & cap flush, disturbed S73°56'W 0.12' from record position
- (6) Fd. rebar & cap 1" exp., disturbed N38°24'W 0.25' from record position
- (7) Calc. corner based on city RP's Fd. lead plug & tack in top of sand stone wall, N00°29'55"W 30.61' Fd. 5/8" rebar, 6" deep, N38°17'35"W 40.29' (rec. 40.31')
- (8) Calc. corner based on city RP's Fd. lead plug & tack in curb S53°28'37"E 37.50' Fd. lead plug & tack in curb N69°07'23"E 39.46'

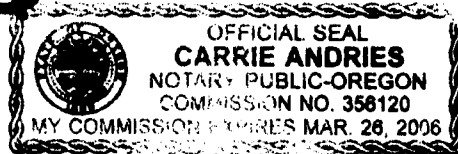
D. Heller Dan Heller
Stephen J. Sacks Stephen J. Sacks
Paul Rostykus Paul Rostykus

STATE OF OREGON)
County of Jackson) SS

Personally appeared the above named Dan Heller, Stephen J. Sacks, and Paul Rostykus, and acknowledged the foregoing instrument to be their voluntary act and deed.

Dated this 29 day of September, 2004.

Carrie Andries
Notary Public for Oregon
My commission expires 3-26-06



NARRATIVE:

PURPOSE:

To partition the subject property described in Doc. No. 2004-037673 O.R. into two parcels as tentatively approved by Planning Action 2004-040 (originally approved PA 2001-030)

PROCEDURE:

Used the monuments found per FS 11490 to determine the centerline of Walnut Street and record corner positions as shown.

BASIS OF BEARINGS:

N.O.A.A. true meridian at the N-S centerline of Section 5 as derived from FS 7126 and FS 11490. The reference line for this survey is the centerline of Walnut Street as shown.

*** RECEIVED ***
DATE 10-1-04 BY RB
This survey consists of:
1 sheet(s) Map
2 page(s) Narrative
JACKSON COUNTY SURVEYOR