

DECLARATION

KNOW ALL MEN BY THESE PRESENTS, THAT BAB, A OREGON LIMITED LIABILITY COMPANY IS THE OWNER IN FEE SIMPLE OF THAT CERTAIN REAL PROPERTY AS SET FORTH IN THE SURVEYOR'S CERTIFICATE SHOWN HEREON. SAID OWNER HAS CAUSED THIS REAL PROPERTY TO BE SURVEYED AND PARTITIONED AND HEREBY CREATES AND ESTABLISHES PARCEL 1 (ONE) AND PARCEL 2 (TWO) AS SHOWN HEREON. THE SIZES OF THE PARCELS, AS WELL AS THE COURSES AND LENGTHS OF ALL BOUNDARY LINES ARE PLAINLY SET FORTH AND THIS IS A CORRECT REPRESENTATION OF THE PARTITION AND SURVEY.

IN ADDITION SAID OWNER CREATES AND ESTABLISHES A 20 (TWENTY) FOOT WIDE INGRESS & EGRESS EASEMENT AS SHOWN HEREON FOR THE BENEFIT OF THE PARCEL (TAX LOT 102) ABUTTING SAID PARCEL 1 (ONE) ON THE EAST BOUNDARY THEREOF. THE CARE AND MAINTENANCE OF SAID EASEMENT SHALL BE SHARED ACCORDING TO USAGE THEREOF BETWEEN THE OWNERS OF BOTH PARCELS.

SAID OWNER ALSO CREATES A 15' FOOT WIDE EASEMENT OVER AND ACROSS PARCEL 1 (ONE) AND PARCEL 2 (TWO) FOR THE BENEFIT OF QWEST COMMUNICATION (US WEST) FOR USE AND MAINTENANCE OF AN UNDERGROUND UTILITY LINE.

SAID OWNER ALSO CREATES A 10 FOOT WIDE EASEMENT OVER AND ACROSS PARCEL 2 (TWO) FOR A PUMPING FACILITY AND WATERLINE EASEMENT AS SHOWN HEREON. SAID EASEMENT SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS FOR INSTALLATION, REPLACEMENT AND MAINTENANCE OF SAID WATER FACILITIES AND SHALL BE FOR THE BENEFIT OF PARCEL 1 (ONE).

[Signature]
JIM BROTHERTON

ACKNOWLEDGEMENT

STATE OF OREGON)
) ss.
COUNTY OF JACKSON)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS 23rd DAY OF October, 2005 BY

JIM BROTHERTON, AS authorized member ON BEHALF OF BAB, A OREGON LIMITED LIABILITY COMPANY.

[Signature]
REGINA L. KUSHIMA
NOTARY PUBLIC



NARRATIVE

A NIKON DTM 520 TOTAL STATION IN CONJUNCTION WITH GPS (GLOBAL POSITIONING SYSTEM) MEASUREMENTS WERE USED TO CONTROL THE SUBJECT BOUNDARY. FOUND BRASS CAP MONUMENTS PER SECTIONS 18 AND 19 WERE TIED BY THE FIELD SURVEY AS WELL AS THE 3/4 INCH IRON PIN PER FILED SURVEY (FS) NO. 5745. THE "COUNTY ROAD MAP" OF THIS PORTION OF NORTH RIVER ROAD DOES NOT FIT THE PHYSICAL ROADWAY, INCLUDING A DISTANCE TIE TO THE NORTHWEST CORNER OF SECTION 19.

AS SHOWN ON THIS MAP, THE 3/4 INCH IRON PIN PER FS 5745, THE ACTUAL PHYSICAL LOCATION OF THE ROADWAY AND WHEN POSSIBLE HOLDING THE "COUNTY ROAD MAP" DATA WERE ALL USED TO ESTABLISH NORTH RIVER ROAD RIGHT-OF-WAY. THE RAILROAD RIGHT-OF-WAY WAS ESTABLISHED BY HOLDING MEASUREMENTS MADE TO THE PHYSICAL CENTER OF THE TRACKS. IT SHOULD BE NOTED THAT THE EASTERLY BOUNDARY OF PARCEL 1 BEING THE WEST LINE OF TAX LOT 102 IS SOMEWHAT UNIQUE, IN THAT SAID TAX LOT WAS NOT CREATED BY TYPICAL DEED DOCUMENT, BUT BY AN ACTION CALLED SEGREGATION REQUEST, ALLOWED IN 1978-1979 ERA. SAID SEGREGATION DOCUMENTS ARE HELD IN THE PLANNING DEPARTMENT AND FOUND BY A JOURNAL VOUCHER PLANNING NUMBER. THE BUREAU OF LAND MANAGEMENT (BLM) HAD SET A MONUMENT FOR THE WEST 1/16 BETWEEN SECTION 18 AND 19. IT WAS DESTROYED AND NO REFERENCES WERE SET BY BLM. SAID CORNER WAS RESET BY PROPORTIONAL MEASUREMENT. AS WELL, THE CENTER 1/4 CORNER OF SECTION 19 HAD BEEN SET BY BLM, BUT WAS ALSO GONE. A TEMPORARY POSITION WAS RESET FROM REFERENCE PIPES AND FIT THE ORIGINAL BLM BEARING ON THE NORTH-SOUTH CENTERLINE SO WELL IT WAS HELD AS CONTROLLING. THE WEST 1/4 CORNER OF SECTION 19 COULD NOT BE FOUND, SO A GPS TIE WAS MADE TO THE NORTHWEST CORNER OF SAID SECTION 19, DEFINING THE WEST LINE OF SECTION 19. FROM SAID WEST LINE A LINE PARALLEL TO THE SOUTH LINE OF SECTION 18, WAS CALCULATED TO INTERSECT A LINE RUNNING "NORTH" FROM THE PREVIOUSLY SET WEST 1/16. THE SOUTHERLY BOUNDARY OF PARCEL 2 WAS ESTABLISHED BY DIRECT MEASUREMENTS TO THE MEAN HIGH WATER LINE OF THE ROGUE RIVER. THE REMAINING PARTITION CORNERS WERE MONUMENTED AND THE PLAT PREPARED.

REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]
KERRY K. BRADSHAW
OREGON
JULY 18, 1987
KERRY K. BRADSHAW
2271

SURVEYOR'S CERTIFICATE

I, KERRY K. BRADSHAW, A 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 OF LAND AS SET FORTH HEREON:

ALL THAT REAL PROPERTY SITUATED IN JACKSON COUNTY, OREGON DESCRIBED AS FOLLOWS:

BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18 AND A PORTION OF GOVERNMENT LOTS 5 AND 6 OF SECTION 19, TOWNSHIP 36 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 18, BEING A BRASS CAP MONUMENT, THENCE ALONG THE WEST SECTION LINE OF SAID SECTION 18, NORTH 00°00'48" WEST, 821.69 FEET; THENCE LEAVING SAID WEST SECTION LINE AND PARALLEL TO THE SOUTH SECTION LINE OF SAID SECTION 18, NORTH 89°30'53" EAST, 1278.48 FEET TO A 5/8 INCH IRON REBAR WITNESS MONUMENT, THENCE CONTINUING ALONG SAID LINE, NORTH 89°30'53" EAST, 100.00 FEET MORE OR LESS TO THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 18, THENCE ALONG SAID EAST LINE, SOUTH, 821.69 FEET TO A 5/8 INCH REBAR MARKING THE SOUTHEAST CORNER OF SAID "SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER" AND BEING ON THE SOUTH LINE OF SAID SECTION 18; THENCE ALONG SAID SOUTH LINE, NORTH 89°30'53" EAST, 610.295 FEET TO THE WESTERLY LINE OF THAT TRACT DESCRIBED IN SEGREGATION DOCUMENT DATED 6-6-78 (JOURNAL VOUCHER NO. 78-09685); THENCE ALONG SAID WESTERLY LINE, SOUTH 11°15'52" EAST, 851.35 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF THE CENTRAL OREGON & PACIFIC RAILROAD (FORMERLY SOUTHERN PACIFIC RAILROAD) AS SHOWN ON THAT MAP TITLED "RIGHT OF WAY AND TRACK MAP - MAIN LINE - SOUTHERN PACIFIC COMPANY OPERATED BY SOUTHERN PACIFIC COMPANY PORTLAND DIVISION, JACKSON COUNTY, OREGON FROM STATION 1080+00 TO STATION 880+00" FILED DRAWING NUMBER V-16/8; THENCE ALONG SAID LINE, SOUTH 71°20'32" WEST, 618.15 FEET TO INTERSECT A 234.63 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, SAID CURVE BEING THE NORTHERLY RIGHT-OF-WAY LINE OF NORTH RIVER ROAD AS SHOWN ON THAT MAP TITLED "JACKSON COUNTY, OREGON - NORTH RIVER ROAD - ROGUE RIVER-ROCK POINT SEC. DATED MAY 1956" FILED VOLUME 25, PAGE 3, JACKSON COUNTY SURVEYOR'S OFFICE, OREGON, SAID CURVE HAVING A LONG CHORD OF WHICH BEARS NORTH 87°42' 23" WEST, 167.80 FEET AN ARC LENGTH OF 171.59 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 71°20'32" WEST, 1384.35 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, ALONG THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 1939.86 FEET (THE LONG CHORD OF WHICH BEARINGS SOUTH 69°47'31" WEST, 104.96 FEET) AN ARC LENGTH OF 104.96 FEET TO THE WEST LINE OF SAID SECTION 19; THENCE ALONG SAID WEST LINE, NORTH 00°24'00" WEST, 1481.92 FEET TO THE INITIAL POINT OF BEGINNING.

TOGETHER WITH:

BEING A PORTION OF GOVERNMENT LOTS 5 AND 6 OF SECTION 19, TOWNSHIP 36 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 19, THENCE ALONG THE WEST SECTION LINE OF SAID SECTION 19, SOUTH 00°24'00" EAST, 1752.71 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC RAILROAD AS SHOWN ON THAT MAP TITLED "RIGHT OF WAY AND TRACK MAP - MAIN LINE - SOUTHERN PACIFIC COMPANY OPERATED BY SOUTHERN PACIFIC COMPANY PORTLAND DIVISION, JACKSON COUNTY, OREGON FROM STATION 1080+00 TO STATION 880+00" FILED DRAWING NUMBER V-16/8, ALSO BEING THE INITIAL POINT OF BEGINNING; THENCE ALONG SAID RIGHT-OF-WAY LINE, NORTH 71°20'32" EAST, 2303.00 FEET TO THE WESTERLY LINE OF THAT TRACT DESCRIBED IN SEGREGATION DOCUMENT DATED 6-6-78 (JOURNAL VOUCHER NO. 78-09685); THENCE LEAVING SAID RIGHT-OF-WAY LINE AND ALONG SAID WESTERLY LINE, SOUTH 11°15'52" EAST, 155.91 FEET TO A 5/8 INCH IRON REBAR WITNESS MONUMENT, THENCE CONTINUING ALONG SAID LINE, SOUTH 11°15'52" EAST, 61.05 FEET TO THE NORTHERLY MEAN HIGH WATER LINE OF THE ROGUE RIVER; THENCE ALONG SAID LINE THE FOLLOWING ELEVEN (11) COURSES: (1) SOUTH 87°04'56" WEST, 107.63 FEET; (2) SOUTH 73°38'04" WEST, 274.31 FEET; (3) SOUTH 78°02'49" WEST, 220.64 FEET; (4) SOUTH 73°31'47" WEST, 216.46 FEET; (5) SOUTH 70°27'40" WEST, 235.96 FEET; (6) SOUTH 76°37'13" WEST, 181.80 FEET; (7) SOUTH 74°48'51" WEST, 209.55 FEET; (8) SOUTH 64°51'38" WEST, 193.38 FEET; (9) SOUTH 75°42'26" WEST, 159.77 FEET; (10) SOUTH 87°06'22" WEST, 180.49 FEET; (11) SOUTH 85°03'17" WEST, 319.82 FEET TO THE INITIAL POINT OF BEGINNING.

PARTITION PLAT NO. P-78-2005 AND PROPERTY LINE ADJUSTMENT LOCATED IN THE NORTHWEST QUARTER OF SECTION 19 AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18 TOWNSHIP 36 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN JACKSON COUNTY, OREGON

FOR
DAVID ARTOFF
NORTH RIVER ROAD
GOLD HILL, OREGON
OCTOBER 20, 2005

SURVEY BY:

TIMBERLINE
LAND SURVEYING
INCORPORATED
KERRY K. BRADSHAW L.S. 2271
P.O. BOX 3064
CENTRAL POINT OREGON 97502
(541)664-7510 CELL 944-6692

APPROVALS

[Signature]
ROADS, PARKS AND PLANNING SERVICES
JACKSON COUNTY, OREGON
FILE NO. SUB2005-00048
FILE NO. SUB2005-00049

10/31/05
DATE

EXAMINED THIS 26th DAY OF October, 2005

[Signature]
JACKSON COUNTY SURVEYOR

TAX STATEMENT

ALL TAXES, FEES, ASSESSMENTS OR ANY OTHER CHARGES AS REQUIRED BY OREGON REVISED STATUTE 92.095 HAVE BEEN PAID

AS OF THE 31st DAY OF October, 2005

[Signature] ASSESSOR
[Signature] TAX COLLECTOR

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS THE 31st DAY OF OCTOBER

2005 AT 12:08 O'CLOCK P M. AND RECORDED AS

PARTITION PLAT NO. P-78-2005 OF THE RECORDS OF PARTITION PLATS IN JACKSON COUNTY, OREGON

INDEX VOLUME 16 PAGE 78

[Signature] COUNTY CLERK
[Signature] DEPUTY

COUNTY SURVEYOR FILE NO. 18951

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

[Signature]
SURVEYOR

PARTITION PLAT NO. P-78-2005

AND PROPERTY LINE ADJUSTMENT LOCATED IN

THE NORTHWEST QUARTER OF SECTION 19
AND THE SOUTHWEST QUARTER OF SECTION 18
TOWNSHIP 36 SOUTH, RANGE 3 WEST,
WILLAMETTE MERIDIAN
JACKSON COUNTY, OREGON

FOR
DAVID ARTOFF
NORTH RIVER ROAD
GOLD HILL, OREGON

OCTOBER 20, 2005

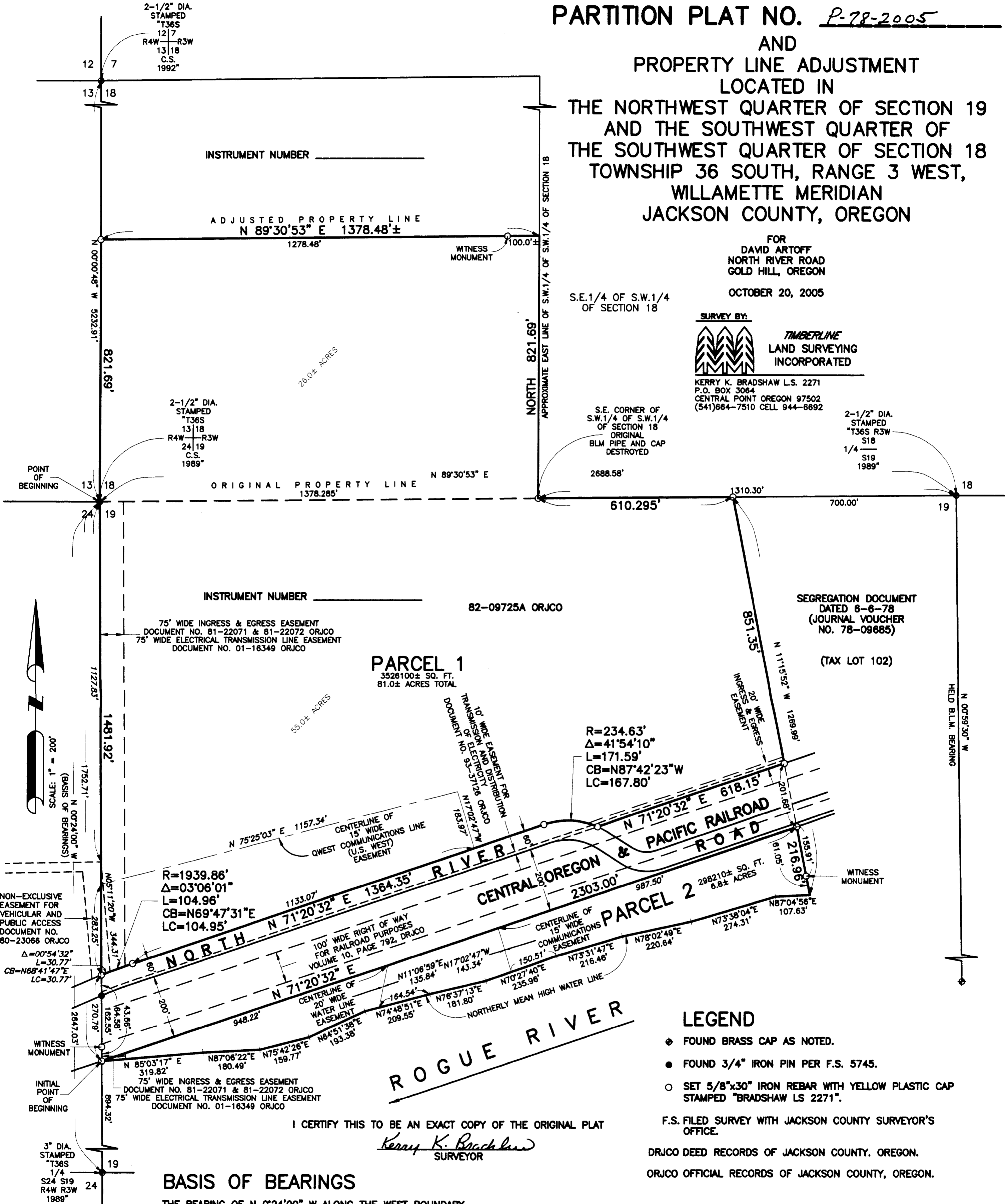
SURVEY BY:



TIMBERLINE
LAND SURVEYING
INCORPORATED

KERRY K. BRADSHAW L.S. 2271
P.O. BOX 3064
CENTRAL POINT OREGON 97502
(541)664-7510 CELL 944-6692

2-1/2" DIA.
STAMPED
"T36S
S18
1/4
S19
1989"



SEGREGATION DOCUMENT
DATED 6-8-78
(JOURNAL VOUCHER
NO. 78-09685)

(TAX LOT 102)

PARCEL 1
3526100± SQ. FT.
81.0± ACRES TOTAL

82-09725A ORJCO

R=234.63'
Δ=41°54'10"
L=171.59'
CB=N87°42'23"W
LC=167.80'

R=1939.86'
Δ=03°06'01"
L=104.96'
CB=N69°47'31"E
LC=104.95'

LEGEND

- ◆ FOUND BRASS CAP AS NOTED.
- FOUND 3/4" IRON PIN PER F.S. 5745.
- SET 5/8"x30" IRON REBAR WITH YELLOW PLASTIC CAP STAMPED "BRADSHAW LS 2271".

F.S. FILED SURVEY WITH JACKSON COUNTY SURVEYOR'S OFFICE.

DRJCO DEED RECORDS OF JACKSON COUNTY, OREGON.

ORJCO OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

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

Kerry K. Bradshaw
SURVEYOR

BASIS OF BEARINGS

THE BEARING OF N 0°24'00" W ALONG THE WEST BOUNDARY LINE OF SECTION 19 AS SHOWN ON THAT DEPENDENT RESURVEY AND SUBDIVISION OF SECTION 19, TOWNSHIP 36 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, OREGON BY UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT DATED AUGUST 25, 1992.

NOTE

CONDITIONS OF JACKSON COUNTY PLANNING FROM LAND USE CASE FILE #SUB 2005-00049 SHALL APPLY TO BOTH PARCEL 1 AND PARCEL 2 OF THIS PLAT.

AS OF THE DATE OF THIS MAP, NEITHER PARCEL 1 OR 2 HAD ACCESS TO POTABLE WATER OR SANITARY SEWER FACILITIES.

ENCUMBRANCE NOTE

THE FOLLOWING APPARENT ENCUMBRANCES, EASEMENTS, RESTRICTIVE COVENANT AND RIGHTS OF WAY ARE SHOWN ON PRELIMINARY TITLE REPORT, ORDER NO. 48g048308g DATED OCTOBER 17, 2005 PREPARED BY LAND AMERICA LAWYERS TITLE AND ARE NOT LOCATED SPECIFICALLY.

1. UNDERGROUND CONDUIT, CABLE AND MARKERS AND FIXTURES AND APPURTENANCES EASEMENT GRANTED TO THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY - VOLUME 280, PAGE 119, JACKSON COUNTY, OREGON, DEED RECORDS (JCODR).
2. 20' WIDE EASEMENT FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY - VOLUME 483, PAGE 392, JCODR.
3. 10' WIDE EASEMENT AND RIGHT OF WAY FOR WATER PIPELINE PURPOSES - VOLUME 64, PAGE 368, JACKSON COUNTY, OREGON, MISCELLANEOUS RECORDS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Kerry K. Bradshaw
OREGON
JULY 18, 1987
KERRY K. BRADSHAW
2271

EXP. 12-31-05