

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that ORCHARD HILL VILLAS, LLC an Oregon limited liability company, hereinafter referred to as Declarant, is the fee title owner of the real property as depicted hereon, being more particularly described in the "SURVEYOR'S CERTIFICATE" herewith. Declarant has caused this tract of land to be surveyed and platted into lots, easements and Common Space, as depicted hereon, and the number of each lot and the course and length of all lines are plainly set forth, and this plat is a correct representation of the subdivision, and Declarant hereby designates this subdivision as "ORCHARD HILL VILLAS". Declarant hereby dedicates to the City of Medford, for public use, all Public Sanitary Sewer and Public Utility Easements (indicated by shaded areas, and noted as "PUE"), as depicted hereon. Said PUE shall allow for public and private utilities, services lines, their appurtenances and facilities. Declarant does hereby create the "COMMON SPACE" (all areas within the exterior boundary of this subdivision, excluding Lots 1 through 20). Said Common Space shall allow for: private access ways (for ingress and egress access, parking and maneuvering); pedestrian ways; emergency vehicular and pedestrian ingress and egress; and, private utilities and service lines. Declarant does hereby create those Private Storm Drain (PSDE), and Private Utility and Service line (PUSE) easements (including but not limited to power, telephone, cable television, water storm drain, sewer and gas lines, appurtenances and facilities), over, through and across those lots as depicted hereon. Each lot that benefits from these easements are subject to the associated costs and burden for the maintenance thereof. ORCHARD HILL VILLAS shall be subject to the Covenants, Conditions and Restrictions as contained in Document Number 2005-034683, of the Official Records of Jackson County, Oregon.

IN WITNESS WHEREOF, signed this 19 day of September, 2005.

Eric Artner, Member ORCHARD HILL VILLAS, LLC.

STATE OF OREGON } SS County of Jackson

Personally appeared the above named Eric Artner, known to me to be a member of ORCHARD HILL VILLAS, LLC, an Oregon limited liability company, and acknowledged the foregoing instrument, pursuant to authorization by the members of said company, to be their voluntary act and deed.

WITNESS my hand and seal this 19 day of September, 2005.

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

RELEASE:

U.S. Bank N.A., as holders of beneficiary interest under that certain Trust Deed recorded as Instrument Number 2005-026614 on May 5, 2005, in the Official Records of Jackson County, Oregon, of said records, do hereby release from lien of said Trust Deed all property shown hereon as dedicated to public use.

Signed this 19 day of September, 2005.

George Riste Vice President

STATE OF OREGON } SS County of Jackson

Before me, the undersigned Notary Public, personally appeared the above-named George Riste, Vice President, U.S. Bank N.A., acknowledged the foregoing instrument to be his voluntary act and deed.

WITNESS my hand and seal this 19 day of September, 2005.

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

NOTES:

All Public Utility Easements shall allow for both public and private lines, appurtenances and facilities, as described in the DECLARATION.

ORCHARD HILL VILLAS, is subject to the following matters of record:

- 1) Easement for electric transmission and distribution lines of one or more wires, and all necessary or desirable appurtenances, including telephone and telegraph wires, towers, poles, props, guys and other supports; and related matters, as set forth in Volume 338, Page 182 of the Deed Records of Jackson County, Oregon.

ORCHARD HILL VILLAS

Located in the Northwest One-Quarter of the Northeast One-Quarter of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

A PAD LOT DEVELOPMENT, PREPARED FOR:

ORCHARD HILL VILLAS, LLC P.O. Box 609 Jacksonville, Or. 97530

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 located within Donation Land Claim No. 51, in the Northwest One-quarter of the Northeast One-quarter of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, being more particularly described as follows: Commencing at the intersection of the east line of Donation Land Claim No. 50, in said township and range, with the southerly right of way line of Barnett Road, being a point on a curve concave to the northwest, having a radius of 1462.39 feet and a central angle of 06°38'50" (the long chord of which bears North 80°12'35" East, 169.51 feet); thence along the arc of said curve, 169.66 feet; thence tangent to said curve, North 76°53'10" East, 514.46 feet to the northeast corner of that tract as described in Volume 286, Page 249 of the Deed Records of Jackson County, Oregon; thence along the east line thereof, South 00°00'36" East, 5.13 feet to a point on the southerly right of way of said Barnett Road, as described in Instrument No. 98-03433 of the Official Records of Jackson County, Oregon, and the True Point of Beginning; thence along said right of way line, North 76°53'10" East, 112.98 feet to a point on the west line of Volume 286, Page 250 of the Deed Records of Jackson County, Oregon; thence along said west line, South 00°00'36" West, 394.49 feet to a point on the north line of Volume 334, Page 653 of the Deed Records of Jackson County, Oregon; thence along said north line, North 89°54'24" West, 110.03 feet to the southeast corner of aforesaid Volume 286, Page 249; thence along the east line thereof, North 00°00'36" East, 368.83 feet to the Point of Beginning.

Cael E. Neathamer Surveyor

RELEASES:

Theresa G. Klotz, as a holder of beneficiary interest under that certain Trust Deed recorded as Instrument Number 2005-026615 on May 5, 2005, in the Official Records of Jackson County, Oregon, of said records, released from lien of said Trust Deed all property shown hereon as dedicated to public use, pursuant to the AFFIDAVIT OF CONSENT, as recorded in Instrument Number 2005-068884, of the Official Records of Jackson County, Oregon.

Edward J. and Laura J. Winslow, husband and wife, as holders of beneficiary interest under that certain Trust Deed recorded as Instrument Number 2005-026615 on May 5, 2005, in the Official Records of Jackson County, Oregon, of said records, released from lien of said Trust Deed all property shown hereon as dedicated to public use, pursuant to the AFFIDAVIT OF CONSENT, as recorded in Instrument Number 2005-068883, of the Official Records of Jackson County, Oregon.

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

REGISTRATION STAMP: ** RECEIVED ** DATE 11-10-05 BY BB. This survey consists of: 2 sheet(s) Map, 0 page(s) Narrative. JACKSON COUNTY SURVEYOR

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

Purpose: Perform a boundary survey and prepare a Final Plat pursuant to Client's instructions and as approved by the City of Medford Planning Commission (File No. LDS-04-145).

Procedure: Utilizing a Nikon DTM-520 and a Ranger 200R with TDS software, and a Trimble 5700 Global Positioning System (GPS) with a Trimble TSCe data collector, all found monuments were tied via closed traverses or by redundant ties. Records utilized were: Volume 286, Pages 249 to 250, and Volume 334, Page 653 of the Deed Records of Jackson County, Oregon; Documents Numbered 98-03433 and 2005-022052 of the Official Records of Jackson County, Oregon; Surveys Numbered: 8343, 14261 (HILLDALE ESTATES SUBDIVISION, as recorded November 1, 1994 in Volume 19 of Plats at Page 52 of the Records of Jackson County, Oregon), and 16026, as filed in the office of the Jackson County Surveyor.

Basis of bearings obtained via Global Positioning System (GPS) observations, and was applied to the east line of Donation Land Claim (DLC) No. 50, as depicted hereon.

Utilizing the located east line of DLC 50, the found monuments depicted hereon, and Survey Number 16026, established the centerline of Barnett Road. Utilizing record widths and Document Number 98-03433, established the southerly right of way line.

Utilizing said volume and pages, Document Number 2005-022052 and said surveys, established the easterly, southerly and westerly boundaries of the subject tract.

The interior lot corners were computed, and monuments were set as depicted hereon.

APPROVALS:

I certify that, pursuant to the authority granted in Ordinance No. 5785, of the City of Medford Municipal Code, that this plat is hereby approved.

Planning Director: [Signature] Date: November 3, 2005

PLANNING FILE NUMBER: LDS-04-195

Examined and approved this 26th day of September, 2005.

City Engineer: [Signature] City Surveyor: [Signature]

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095 have been paid as of November 7, 2005.

Tax Collector: [Signature] Deputy: [Signature]

Examined and approved as required by O.R.S. 92.100 this 7th day of November, 2005.

Assessor: [Signature] Deputy: [Signature]

RECORDING

FILED FOR RECORD THIS THE 10 DAY OF November, 2005 AT 9:13 O'CLOCK A.M. AND RECORDED IN VOLUME 31 OF PLATS AT PAGE 64 OF THE RECORDS OF JACKSON COUNTY, OREGON.

FOR THE ORDER OF THE COUNTY COURT APPROVING THIS PLAT SEE VOLUME PAGE OF THE COMMISSIONERS JOURNAL OF PROCEEDINGS.

County Clerk: [Signature] Deputy: [Signature]

REGISTERED PROFESSIONAL LAND SURVEYOR

CAEL E. NEATHAMER OREGON JULY 09, 2001 CAEL E. NEATHAMER 56545

Renewal Date 12/31/06

PREPARED BY: Neathamer Surveying, Inc. 3126 State Street, Suite N P.O. Box 1584 Medford, Oregon 97501 Phone (541) 732-2869 FAX (541) 732-1382

DATE: September 19, 2005 PROJECT NUMBER: 04020 Sheet 1 of 2

ORCHARD HILL VILLAS

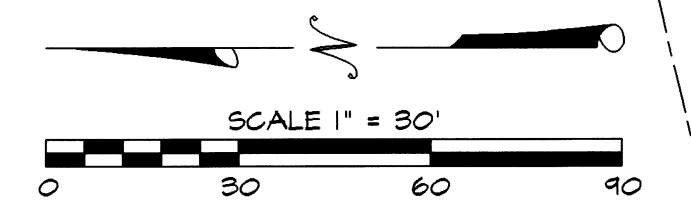
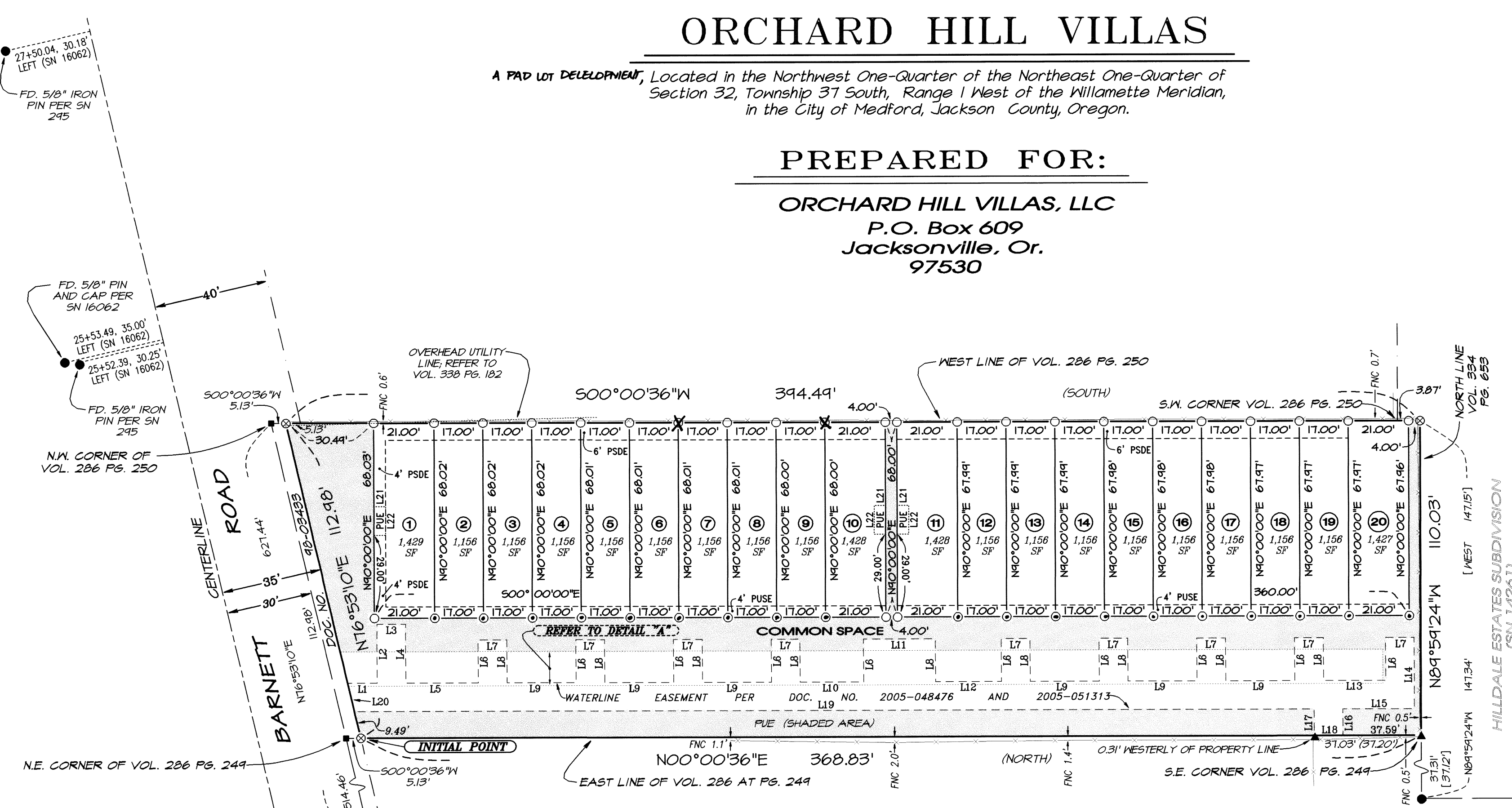
A PAD LOT DEVELOPMENT, Located in the Northwest One-Quarter of the Northeast One-Quarter of Section 32, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

ORCHARD HILL VILLAS, LLC
 P.O. Box 609
 Jacksonville, Or.
 97530

LEGEND:

- Indicates a set 5/8 inch diameter iron pin, 24 inches in length, with an orange plastic cap marked "C. NEATHAMER LS 56545", to be deferred.
- ⊗ Indicates a set 5/8 inch diameter iron pin, 30 inches in length, with an orange plastic cap marked "C. NEATHAMER LS 56545".
- Indicates a found monument per SN 14261, or as noted hereon.
- ▲ Indicates a found monument per SN 8343, or as noted hereon.
- Indicates a computed position.
- () Indicates record information as per SN 12435.
- [] Indicates record information as per SN 14261.
- WIT-MON Indicates a "Witness Monument".
- SN Indicates a survey filed by number in the office of the Jackson County Surveyor.
- Vol. Pg. Indicates an instrument recorded by Volume and Page of the Deed Records of Jackson County, Oregon.
- PUE Indicates a public utility easement being created hereon (refer to Declaration).
- PSDE Indicates a private storm drain easement, being created hereon.
- FUSE Indicates a private utility and service line(s) easement, being created hereon (refer to Declaration).
- 2.9' FNC Indicates the distance and which side from the boundary line that the centerline of fence line is located.
- Indicates the centerline of an existing fence.
- TACK AND WASHER IN .035 CAL. SHELL CASING.
- ⊗ 1.00 FT. WITNESS SET NORTH OF LOT CORNER.

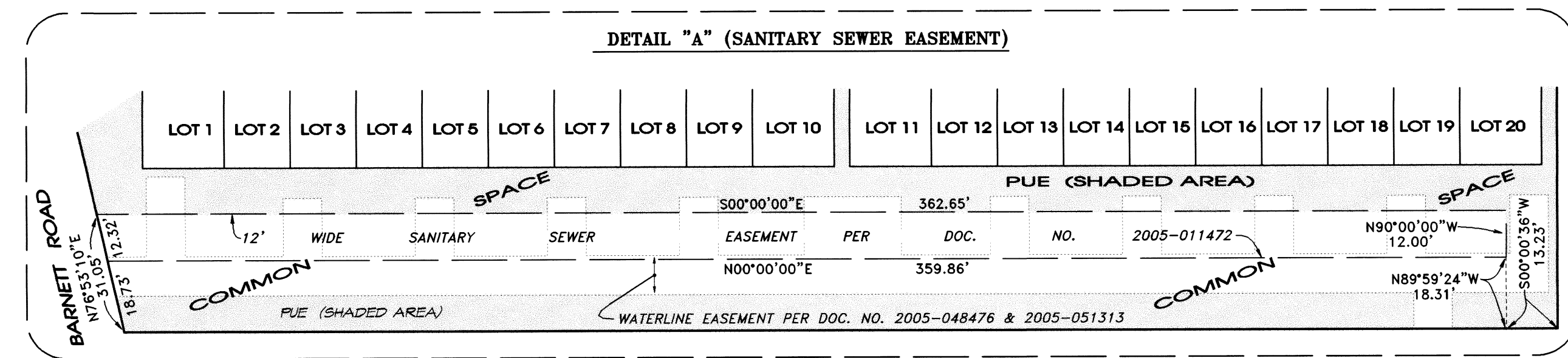


COMPUTED C/L INTERSECTION PER FOUND CITY OF MEDFORD ENGINEERING DEPT. REFERENCE MARKS (STA. 17+24.40 PER SN 16602)

APPLIED BASIS OF BEARINGS: 500°00'36"W 2263.09'

BRASS CAP MARKING N.E. COR. DLC 50

BRASS CAP MARKING S.E. COR. DLC 50



**** RECEIVED ****
 DATE 11-10-05 BY AB
 This survey consists of:
 2 sheet(s) Map
 0 page(s) Narrative
 JACKSON COUNTY SURVEYOR

POST MONUMENTATION CERTIFICATE

All monuments will be set on or before the 1st of July, 2006.

All monuments are now set, on this 1st day of June, 2007.

Refer to Document Number 07-26270 of the Official Records of Jackson County, Oregon.

Robert Roberts
 Jackson County Surveyor

WATER LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	500°00'00"W	10.23'	L11	500°00'00"E	25.00'	L21	N00°00'00"E	4.00'
L2	N40°00'00"E	20.60'	L12	500°00'00"E	22.90'	L22	N40°00'00"E	10.00'
L3	500°00'00"W	10.00'	L13	500°00'00"W	21.64'			
L4	N40°00'00"W	20.60'	L14	N40°00'00"W	25.00'			
L5	500°00'00"W	25.17'	L15	N00°00'00"E	24.86'			
L6	N40°00'00"E	15.00'	L16	N89°54'24"W	4.30'			
L7	500°00'00"E	10.00'	L17	N00°00'36"E	10.00'			
L8	N40°00'00"W	15.00'	L18	S89°54'24"E	10.00'			
L9	500°00'00"W	24.00'	L19	N00°00'00"E	333.84'			
L10	500°00'00"W	22.10'	L20	N16°53'10"E	10.27'			

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

REGISTERED PROFESSIONAL LAND SURVEYOR
Carl E. Neathamer
 OREGON
 JULY 08, 2001
 CAEL E. NEATHAMER
 56545
 Renewal Date 12/31/06

BASIS OF BEARINGS:
 Geodetic North based on NGS Datum, established by Global Positioning System Observations. Bearing applied to the east line of Donation Land Claim No. 50.

PREPARED BY: Neathamer Surveying, Inc.
 3126 State Street, Suite N
 P.O. Box 1584
 Medford, Oregon 97501
 Phone (541) 732-2869
 FAX (541) 732-1382

DATE: September 19, 2005 PROJECT NUMBER: 04020
 Sheet 2 of 2 © CEN