

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that DUNCAN DEVELOPMENT, LLC, an Oregon limited liability company, 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, has caused this tract of land to be surveyed and platted into lots, streets and those easements, 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 hereby designates this subdivision as BLUEGRASS DOWNS, PHASE 2. Declarant hereby dedicates to the City of Central Point for public use Rabun Way and Tennessee Lane, for public right of way purposes, and those public easements depicted hereon. BLUEGRASS DOWNS, PHASE 2, A Subdivision, shall be subject to the Covenants, Conditions and Restrictions as contained in Document Number 05-070078, recorded on November 16, 2005, 2005, of the Official Records of Jackson County, Oregon.

IN WITNESS WHEREOF, I set my hand and seal this 12<sup>th</sup> day of

October, 2005.

Michael K. Duncan, Manager DUNCAN DEVELOPMENT, LLC

STATE OF OREGON } ss County of Jackson

Personally appeared the above named Michael K. Duncan, known to me to be the Manager of DUNCAN DEVELOPMENT, 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 12<sup>th</sup> day of October, 2005.

Before me: Marie E. Chast NOTARY PUBLIC-OREGON COMMISSION NO.: 369897 MY COMMISSION EXPIRES: June 24, 2007

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 in the Southeast One-quarter of Section 35, Township 36 South, Range 2 West of the Willamette Meridian in the City of Central Point, Jackson County, Oregon, more particularly described as follows:

Commencing at the Southeast corner of Section 35, Township 36 South, Range 2 West of the Willamette Meridian, in Jackson County, Oregon; thence North 00°05'38" West along the Easterly line of said Section 35, a distance of 1046.19 feet (Record: 1046.04 feet) to the Initial Point; thence leaving said Easterly line, and along the northerly boundary of Bluegrass Downs, Phase 1 (as recorded on January 6, 2005, in Volume 31 of Plats at Page 2, of the Records of Jackson County, Oregon), North 89°51'36" West, 353.54 feet; thence South 56°51'54" West 146.84 feet, to a point on the easterly right of way of Tennessee Lane; thence North 83°03'08" West 65.35 feet to a point on the westerly right of way of said Tennessee Lane; thence leaving said right of way, South 82°54'15" West, 118.20 feet; thence South 00°06'13" West 43.00 feet; thence North 89°55'10" West, 268.00 feet; thence continuing along the boundary of said Bluegrass Downs, Phase 1, North 00°06'13" East, 120.00 feet to a point on the southerly right of way of Rabun Way; thence along said right of way, South 89°55'10" East, 41.00 feet; thence North 00°06'13" East, 170.00 feet to a point on the Northerly boundary of Parcel 2 as described in Instrument No. 42-35022 of the Official Records of Jackson County, Oregon, and the northeast corner of Lot 50 of said Bluegrass Downs, Phase 1; thence leaving said Phase 1 boundary, and along said Northerly line of said Document, South 89°55'10" East, 222.00 feet; thence North 00°05'55" West, 112.00 feet; thence South 89°55'10" East, 662.97 feet to a point on aforesaid Easterly line of said Section 35, also being the northwest corner of Lot 190 of New Haven Estates, Phase VIII, as recorded March 13, 2002, in Volume 28 of Plats, at Page 13 of the Records of Jackson County, Oregon; thence along said section line, South 00°05'38" East (Record: South 00°05'55" East), 271.98 feet to the Initial Point.

Cael E. Neathamer Surveyor

BLUEGRASS DOWNS PHASE 2

Located in the Southeast One-quarter of Section 35, Township 36 South, Range 2 West of the Willamette Meridian, in the City of Central Point, Jackson County, Oregon.

PREPARED FOR:

Duncan Development, LLC PO Box 5656 Central Point, OR 97502

RELEASE

People's Bank of Commerce, an Oregon Corporation, as holders of beneficiary interest under that certain Trust Deed dated and recorded as Instrument Number 05-011070 on February 28, 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 12<sup>th</sup> day of October, 2005.

Ken Trautman, President PEOPLE'S BANK OF COMMERCE REAL ESTATE LOAN CENTER

STATE OF OREGON } ss County of Jackson

Personally appeared the above named Ken Trautman, known to me to be the President of the PEOPLE'S BANK REAL ESTATE LOAN CENTER, an Oregon Corporation, and acknowledged the foregoing instrument, to be his voluntary act and deed.

WITNESS my hand and seal this 12 day of October, 2005.

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

RELEASE

People's Bank of Commerce, an Oregon Corporation, as holders of beneficiary interest under that certain Trust Deed dated and recorded as Instrument Number 05-011071 on February 28, 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 12<sup>th</sup> day of October, 2005.

Ken Trautman, President PEOPLE'S BANK OF COMMERCE REAL ESTATE LOAN CENTER

STATE OF OREGON } ss County of Jackson

Personally appeared the above named Ken Trautman, known to me to be the President of the PEOPLE'S BANK REAL ESTATE LOAN CENTER, an Oregon Corporation, and acknowledged the foregoing instrument, to be his voluntary act and deed.

WITNESS my hand and seal this 12 day of October, 2005.

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

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

APPROVALS

I certify that, pursuant to the authority granted in the City of Central Point Municipal Code, Chapter 16.12, this plat is hereby approved.

Planning Director 10-24-05 Date

Public Works Director 10-21-05 Date

Examined and approved this 14<sup>th</sup> day of NOVEMBER, 2005.

Jackson County Surveyor NOT APPLICABLE County Surveyor File No.

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095 have been paid as of November 16, 2005.

Carole A. Juenson Deputy Tax Collector

Examined and approved as required by O.R.S. 92.100 this 16 day of November, 2005.

Amanda Kirkpatrick Deputy Assessor

RECORDING

FILED FOR RECORD THIS THE 16<sup>TH</sup> DAY OF November, 2005, AT 10:18 O'CLOCK A.M. AND RECORDED IN VOLUME 31 OF PLATS AT PAGE 67 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.

Kathleen J. Beckett County Clerk Souya S. Morgan Deputy

APPROVED FOR RECORDING: COUNTY COMMISSIONER/ADMINISTRATOR 11/16/05 DATE

RECEIVED DATE 11-16-05 BY 885 This survey consists of: 2 sheet(s) Map 0 page(s) Narrative JACKSON COUNTY SURVEYOR

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 St., Suite 200 Medford, Oregon 97501 Phone (541) 732-2869 FAX (541) 732-1382

DATE: October 11, 2005 PROJECT NUMBER: 05031 Sheet 1 of 2 M.V.N. GEN

# BLUEGRASS DOWNS, PHASE 2

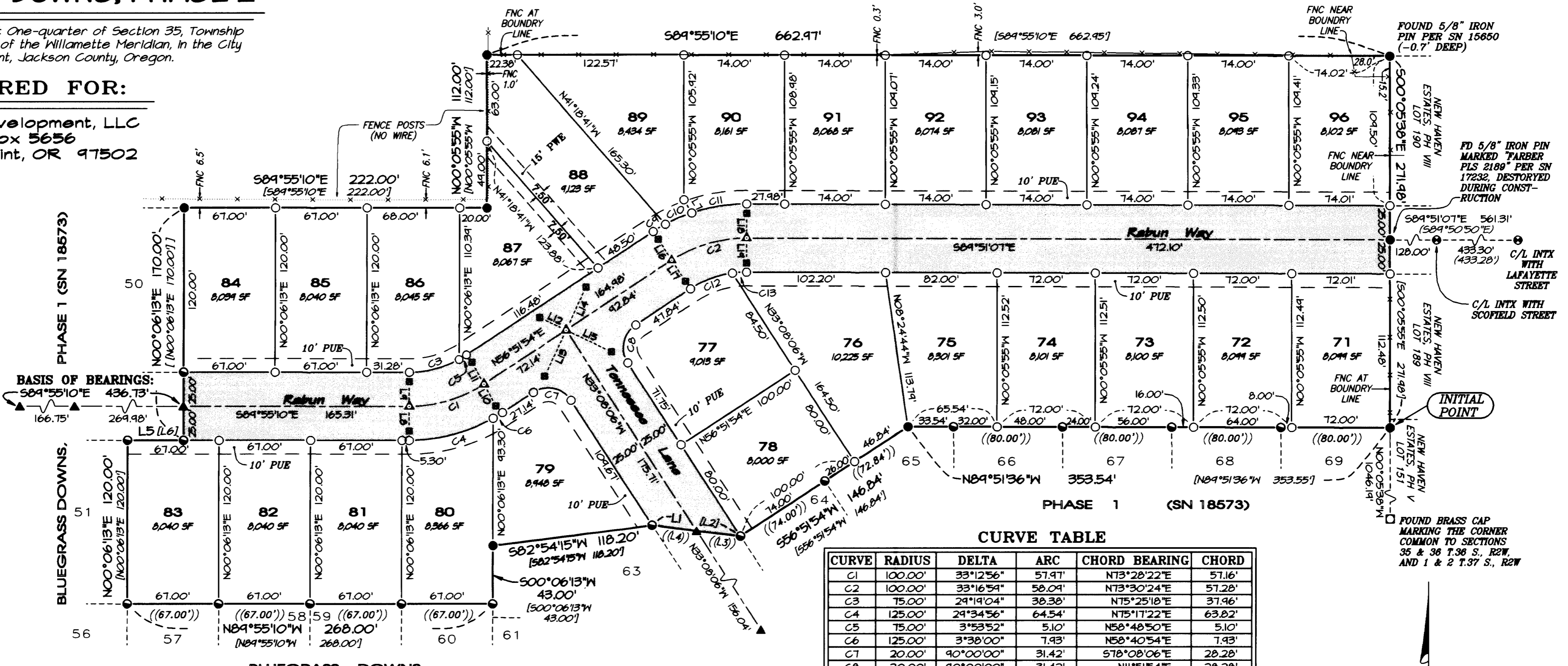
Located in the Southeast One-quarter of Section 35, Township 36 South, Range 2 West of the Willamette Meridian, in the City of Central Point, Jackson County, Oregon.

## PREPARED FOR:

Duncan Development, LLC  
PO Box 5656  
Central Point, OR 97502

### LINE TABLE

LINE	BEARING	DISTANCE
L1	N83°03'08"W	65.35'
L2	N83°03'07"W	65.35'
L3	N83°03'07"W	32.61'
L4	N83°03'07"W	32.68'
L5	S84°55'10"E	41.00'
L6	S84°55'10"E	41.00'
L7	N80°10'14"W	11.21'
L8	S00°04'46"W	18.18'
L9	N00°04'46"E	18.29'
L10	S28°51'44"E	18.24'
L11	N28°51'44"W	18.22'
L12	N64°41'42"W	21.37'
L13	S25°00'29"W	37.14'
L14	N25°00'29"E	34.44'
L15	S64°41'42"E	37.01'
L16	N83°07'29"W	18.21'
L17	S33°07'29"E	18.23'
L18	N00°08'54"E	18.19'
L19	S00°08'54"W	18.23'



### CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	100.00'	33°12'56"	57.91'	N73°28'22"E	57.16'
C2	100.00'	33°16'54"	58.04'	N73°30'24"E	57.28'
C3	75.00'	29°19'04"	38.38'	N75°25'18"E	37.96'
C4	125.00'	29°34'56"	64.54'	N75°17'22"E	63.82'
C5	75.00'	3°53'52"	5.10'	N58°48'50"E	5.10'
C6	125.00'	3°38'00"	7.93'	N58°40'54"E	7.93'
C7	20.00'	90°00'00"	31.42'	S78°08'06"E	28.28'
C8	20.00'	90°00'00"	31.42'	N11°51'54"E	28.28'
C9	125.00'	4°47'52"	10.47'	N54°15'50"E	10.46'
C10	125.00'	4°38'21"	21.03'	N66°28'56"E	21.00'
C11	125.00'	18°50'46"	41.12'	N80°43'30"E	40.93'
C12	75.00'	25°23'40"	33.24'	N69°33'44"E	32.91'
C13	75.00'	7°53'19"	10.33'	N86°12'14"E	10.32'

### LEGEND:

- Indicates a set 5/8 inch diameter iron pin, 24 inches long, with an orange plastic cap marked "C. NEATHAMER L5 56545".
- △ Indicates a set 5/8 inch diameter iron pin, 30 inches long with an aluminum cap marked "C/L MON. L5 56545", set flush with the surface.
- Indicates a set 0.38 caliber shell casing with lead, tack and brass washer marked "NEATHAMER L5 56545".
- Indicates a 2-1/2 inch diameter brass cap per SN 17232.
- Indicates a found monument with an orange plastic cap marked "C. NEATHAMER PLS 56545", per SN 18573.
- ▲ Indicates a found monument with an aluminum cap marked "C/L MON. L5 56545", per SN 18573.
- Indicates a found 5/8 inch diameter iron pin with an orange cap marked "D. MCMAHAN L5 1913", per SN 18105, or as noted hereon.
- Indicates a found monument, as noted hereon.
- Indicates a computed position, nothing found or set.
- ( ) Indicates record information as per SN 17232.
- [ ] Indicates record information as per SN 18105.
- (( )) Indicates record information as per SN 18573.
- SN Indicates a survey filed by number in the office of the Jackson County Surveyor.
- PUE Indicates a public utility easement being created hereon.
- PWE Indicates a Public Waterline Easement, being created hereon.
- SF Indicates the number of square feet within a closed area such as a lot.
- FNC 3.0' Indicates the distance and which side from the boundary line that the centerline of fence line is.
- x— Indicates the centerline of an existing fence.

### BLUEGRASS DOWNS

### 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 Central Point Planning Commission, Resolution Number 601, approved in November, 2003.

**Procedure:** Utilizing a Nikon DTM-520 and a Ranger 200R data collector with TDS software, and a Trimble 5700 Global Positioning System (GPS) unit with a Trimble TSCe (Trimble Survey Controller software), all found monuments were tied in a closed traverse or via redundant ties. Record data utilized: Document Number 2005-011069 of the Official Records of Jackson County, Oregon; Surveys numbered 17232 and 18105, and 18573, all on file in the office of the Jackson County Surveyor.

Utilizing previous boundary control, performed during the survey for Bluegrass Downs, Phase I (Survey Number 18573), by this office, and Survey Number 18105, the easterly, southerly and westerly boundaries were established, as depicted hereon.

Utilizing said Survey Number 18105, the found monuments set during said survey, and record Document Number 2005-011069, established the northerly boundary, as depicted hereon.

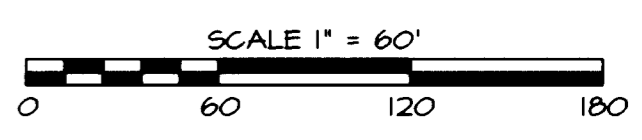
Interior lots and streets were computed and monumented as depicted hereon.

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

**BASIS OF BEARINGS:**  
The centerline of Rabun Way per Survey Number 18573. Basis applied to the found monuments along said centerline, as depicted hereon.

### NOTES:

- BLUEGRASS DOWNS, PHASE 2, is subject to the following matters of record:
  - Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of the Rogue River Valley Irrigation District.
  - Regulations, including levies, liens, assessments, rights of way and easements of the Rogue Valley Sewer Services (formerly Bear Creek Valley Sanitary Authority).
  - Easements for transmission and distribution of electricity pursuant to Volume 155, Page 278, Volume 361, Page 192, and Volume 378, Page 105, all of the Deed Records of Jackson County, Oregon, are blanket in nature and not able to specifically locate. No visible or known power lines exist within the bounds of this subdivision.
  - Reservation of right to use water for irrigation as set forth in instrument recorded May 10, 1961 in Volume 507, Page 94, Jackson County, Oregon, Deed Records.
  - An easement running to Gebhard Road pursuant to Volume 502, Page 287A of the Deed Records of Jackson County, Oregon, is not within the bounds of this subdivision.
  - The existing 1.00' street plugs, located at the ends of Rabun Way and Tennessee Lane, are to be, (as indicated on the record plats of Bluegrass Downs, Phase I and New Haven Estates, Phase VII), dedicated by the City of Central Point, an Oregon Municipal Corporation, to the public for street purposes, upon the extension of said streets. Said streets are being dedicated hereon as contained within the "DECLARATION" herein.



RECEIVED  
DATE 11-16-05 BY BB  
This survey consists of:  
2 sheet(s) Map  
0 page(s) Narrative  
JACKSON COUNTY SURVEYOR

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

PREPARED BY: Neathamer Surveying, Inc.  
3126 State St., Suite 200  
Medford, Oregon 97501  
Phone (541) 732-2869  
FAX (541) 732-1382  
DATE: October 11, 2005 PROJECT NUMBER: 05031  
Sheet 2 of 2