

*** APPROVALS ***

File No. LDS-05-118 & LDS-05-119

I certify that, pursuant to authority granted in Ordinance No. 5785 this plat is hereby approved.

BIRCH GARDENS, PHASES 2 & 3 in the N.W. 1/4, S.W. 1/4 of Section 17, T.37S, R.1W., W.M. City of Medford Jackson County, Oregon

*** RECORDER'S CERTIFICATE ***

Filed for record this 29th day of November, 2005, at 2:50 o'clock P.M., and recorded in Volume 31 of Plats at

Signature of Planning Director, Date: November 10, 2005

SURVEY FOR:

SURVEY BY:

EXAMINED AND APPROVED this 3rd day of November, 2005

MTN. VALLEY ASSOC., LLC 1758 SISKIYOU BLVD. ASHLAND, OR, 97520

L.J. FRIAR & ASSOCIATES, P.C. CONSULTING LAND SURVEYORS 816 WEST EIGHTH STREET MEDFORD, OREGON 97501 PHONE: (541) 772-2782 EMAIL: LJFRIAR@CHARTER.NET

Page 11 of the records of Jackson County, Oregon and Doc. #2005-072447 DRJCO.

Signatures of Kathleen S. Beckett (County Clerk) and Carmen D. Helman (Deputy)

EXAMINED AND APPROVED as required by ORS 92.100 as of November 29, 2005

DATE: OCTOBER 18, 2005

Declaration of Covenants, Conditions and Restrictions recorded as Document No. 2005-072446, Official Records of Jackson County, Oregon.

Signature of Amanda Kirkpatrick, deputy Assessor, Department of Assessment

ALL TAXES, FEES, ASSESSMENTS AND OTHER CHARGES as required by ORS 92.095 have been paid as of November 29, 2005

Signature of Patty Budsong, Deputy Tax Collector

*** DECLARATION ***

Know all men by these presents that, MT. VALLEY ASSOC., LLC., is the owner in fee of the land shown on this plat, more particularly described in the Surveyor's Certificate, and have subdivided the same into the Lots and Common Area as shown on Sheet 2, and that the size of the lots and the course and length of all lines are plainly set forth, and that this Plat is a correct representation of the same and does hereby dedicate to the public for public use under the jurisdiction of the City of Medford, the easement shown on Sheet 2 labeled as Public Utility Easement (PUE), with the condition Charter Communications, its successors assigns in interest shall have the right to use said PUE and does hereby make and establish the Private Utility Easement (UE) over the Common Area for the benefit of all Lots within Phases 2 & 3 and does hereby make and establish the Fire Department Turn Around Easement with the condition that no parking will be allowed. This Subdivision shall be subject to a Declaration of Covenants, Conditions & Restrictions to be recorded simultaneously with this Plat setting forth provisions for the maintenance of the Common Area and the private utilities located within said Common Area. Mt. Valley Assoc., LLC. does hereby designate said Subdivision as BIRCH GARDENS, PHASES 2 & 3.

*** SURVEYOR'S CERTIFICATE ***

I, JAMES E. HIBBS, A REGISTERED LAND SURVEYOR OF THE STATE OF OREGON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS AS PROVIDED BY LAW THE TRACT OF LAND SHOWN HEREON, SAID PLAT BEING AN ACCURATE REPRESENTATION OF THE SAME, AND THAT THE FOLLOWING IS AN ACCURATE DESCRIPTION OF THE EXTERIOR BOUNDARY LINES:

Beginning at the Northwest corner of BIRCH GARDENS, A PLANNED COMMUNITY, according to the official plat thereof, now of record, in Jackson County, Oregon and the INITIAL POINT OF BEGINNING; thence along the North line thereof, South 89°53'40" East, 413.42 feet to the Northeast corner thereof; thence along the East line of Lots 1 and 2, Block 3 of ROGUE VALLEY HEIGHTS EXTENSION, according to the official plat thereof, now of record, in Jackson County, Oregon, North 00°00'26" East, 200.00 feet to the Northeast corner of Parcel 3 described in Document No. 03-74133, Official Records of Jackson County, Oregon; thence along the North line thereof, North 89°53'40" West, 230.00 feet to the Northwest corner thereof; thence along the West line thereof, South 00°00'26" West, 90.00 feet to the Northeast corner of Parcel 2 of said Document; thence along the North line of said Parcel 2, North 89°53'40" West, 187.89 feet to the Easterly line of Crater Lake Avenue as described in Document No. 97-49004, said Official Records; thence, along said Easterly line along the arc of a 2761.61 foot radius curve to the left having a central angle of 02°17'04", a distance of 110.11 feet (the long chord of which bears South 02°19'09" East, 110.10 feet) to the INITIAL POINT OF BEGINNING.

Signature of Larry A. Kellems, Managing Member of MT. VALLEY ASSOC., LLC

STATE OF OREGON) ss. COUNTY OF JACKSON)

PERSONALLY appeared the above named Larry A. Kellems and acknowledged the foregoing instrument to be their voluntary act and deed.

Dated this 19th day of OCTOBER, 2005

Signature of Scott D. Sinné, Notary Public - Oregon, Commission No. 360116, My Commission Expires AUG. 06 2006



REGISTERED PROFESSIONAL LAND SURVEYOR

Signature of James E. Hibbs, OREGON JULY 17, 1986 JAMES E. HIBBS 2234 RENEWAL DATE 6-30-07

*** AFFIDAVIT OF CONSENT ***

- From Mainlander Services Corporation recorded as Document No. 2005-072442, ORJCO.
From David Reed & Ann Reed recorded as Document No. 2005-072443, ORJCO.
From Terry E. Parsons & Julie A. Parsons recorded as Document No. 2005-072443, ORJCO.
From Delmer Wagner & Evelyn Wagner recorded as Document No. 2005-072444, ORJCO.
From Nations Lending LLC recorded as Document No. 2005-072444, ORJCO.

NOTE: NOTE PLACED AT THE REQUEST OF PP&L: PACIFICORP SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN AND OPERATE ITS ELECTRIC UTILITIES AND ALL OTHER RELATED FACILITIES WITHIN THE PUE IDENTIFIED ON THIS PLAT AS MAY BE NECESSARY OR DESIRABLE IN SERVING THE LOTS IDENTIFIED HEREON, INCLUDING THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REMOVAL OF ANY OBSTRUCTIONS, INCLUDING TREES AND VEGETATION THAT MAY BE PLACED WITHIN THE PUE, 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 PRIOR WRITTEN APPROVAL OF PACIFICORP.

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

PURPOSE: To survey and monument the corners of the Lots & Common Area of Birch Gardens, Phases 2 & 3. (See City of Medford File No. LDS-05-118 & LDS-05-119).
PROCEDURE: From control and monuments established by this office during FS17819, held the North North line of the subject tract deed record 120' Northerly of and parallel to the North line of Birch Gardens. The Northerly line was computed at deed record distances and held parallel to the East and South line. The Easterly line was held as computed per FS17819.

APPROVED FOR RECORDING.

Signature of County Commissioner/Administrator

Signature and Date: Nov. 29, 2005

RECEIVED stamp: DATE 11-29-05 BY [Signature] This survey consists of: 2 sheet(s) Map, 0 page(s) Narrative, JACKSON COUNTY SURVEYOR

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT. Signature of Surveyor

SURVEY FOR:

MTN. VALLEY ASSOC. LLC
1758 SISKIYOU BLVD.
ASHLAND, OR, 97520

SURVEY BY:

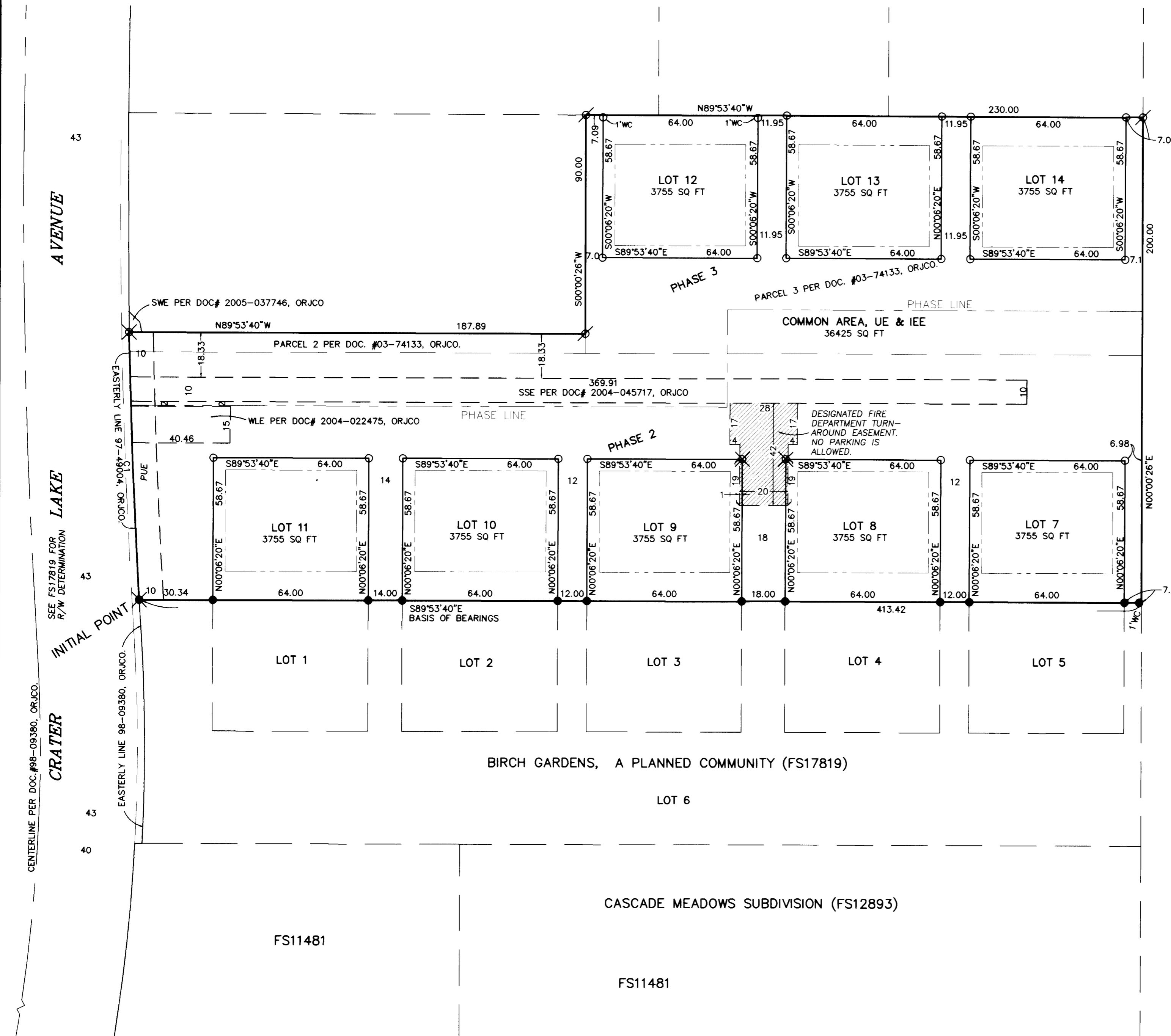
L.J. FRIAR & ASSOCIATES, P.C.
CONSULTING LAND SURVEYORS
816 WEST EIGHTH STREET
MEDFORD, OREGON 97501
PHONE: (541) 772-2782
EMAIL: LJFRIAR@CHARTER.NET

BIRCH GARDENS, PHASES 2 & 3
in the N.W. 1/4, S.W. 1/4 of Section 17, T.37S., R.1W., W.M.
City of Medford Jackson County, Oregon

LEGEND:

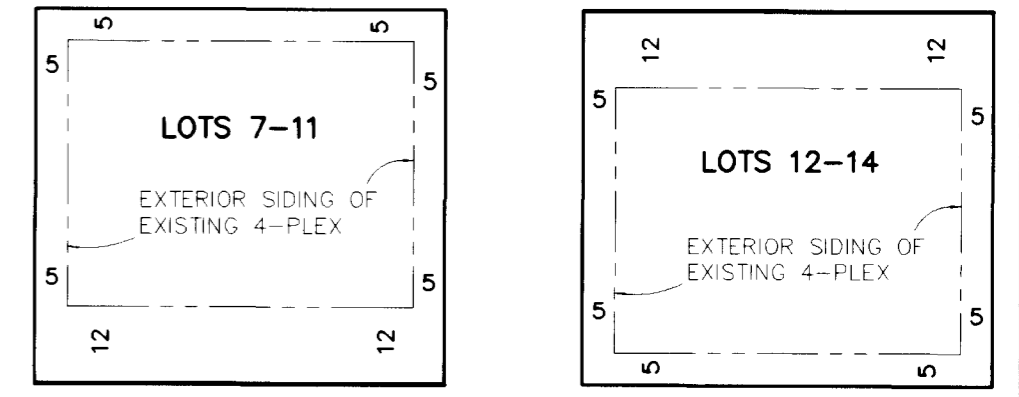
- = FD. 5/8" IRON PIN & PLASTIC CAP MKD. "LJ FRIAR & ASSOC" PER FS17819.
- ⊗ = FD. BRASS TAG MKD. LJ FRIAR & ASSOC. PER FS17819.
- ⊙ = SET 5/8" X 30" IRON PIN & PLASTIC CAP MKD. LJ FRIAR & ASSOC.
- = SET 5/8" X 24" IRON PIN & PLASTIC CAP MKD. LJ FRIAR & ASSOC.
- ⊗ = SET BRASS TAG MKD. LJ FRIAR & ASSOC. IN LEAD PLUG IN CONCRETE.
- X- = FENCE LINE.
- () = RECORD DATA AS SHOWN.
- FS = FILED SURVEY #
- C1 = SEE COURSE DATA TABLE
- PUE = PUBLIC UTILITY EASEMENT.
- UE = PRIVATE UTILITY EASEMENT FOR LOTS 7-14 & COMMON AREA.
- WLE = PUBLIC WATER LINE EASEMENT.
- SWE = SIDEWALK EASEMENT.
- SSE = PUBLIC SANITARY SEWER EASEMENT.
- FD = FOUND.
- MKD. = MARKED.
- IEE = MUTUAL EASEMENT FOR INGRESS AND EGRESS FOR PEDESTRIAN, VEHICULAR & BIKE AND PARKING USAGE PER DOC. 2005-037746, ORJCO.
- 1'WC = 1 FOOT WITNESS CORNER MONUMENT.

BASIS OF BEARINGS: SURVEY 17819 AS SHOWN HEREON.
DATE: OCTOBER 25, 2005 UNIT OF MEASUREMENT: FEET SCALE: 1" = 30'



COURSE DATA TABLE

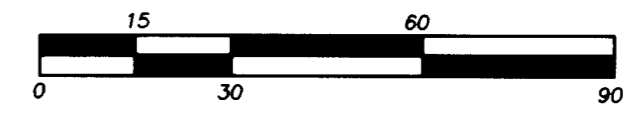
NUM	DELTA	ARC	RADIUS	LONG CHORD
C1	02°17'04"	110.11	2761.61	S02°19'09"E 110.10



BUILDING LOCATION WITHIN LOT



REGISTERED PROFESSIONAL LAND SURVEYOR
James E. Hibbs
OREGON
JULY 17, 1986
JAMES E. HIBBS
2234
RENEWAL DATE 6-30-07



** RECEIVED **
DATE 11-29-05 BY *JEB*
This survey consists of:
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

I HEREBY DECLARE THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.
James E. Hibbs
SURVEYOR