

MARK E. BOYDEN
R.P.L.S. ORE. 281
108 MISTLETOE ST., MEDFORD, OREGON 97501
PHONE (503) 773-6000

SURVEY NO. 19044

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

SURVEY FOR: Jackson County (Juvenile Detention Shelter Tract) and adjoining property to the East.
10 South Oakdale Avenue, Room 214
Medford, OR 97501

SURVEY BY: Boyden Surveyors
108 Mistletoe Street
Medford, OR 97501

LOCATION: Block 6, GALLOWAY'S ADDITION in the NE ¼ of the SE ¼, Section 25, T. 37 S., R. 2 W., W.M., City of Medford, Jackson County, Oregon

BASIS OF BEARINGS: Centerline West 10th Street
Ref.: Filed Survey No. 98

DATE: December 30, 2005

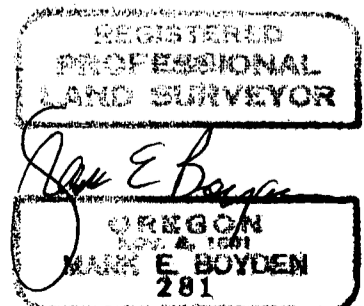
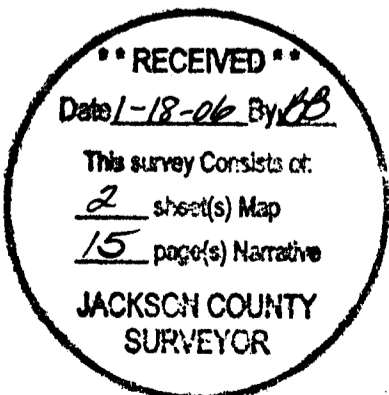
PURPOSE: To monument or verify the boundaries of the Detention and adjoining tracts after construction was completed and the suit to Quiet Title and Deeds have been finalized.

PROCEDURE: This field work was accomplished in two phases:
Phase I - (Investigative Boundary Survey) see Exhibits "A" & "B", where no monuments were set.
Phase II - Set corners for the final "building" and "parking" areas after construction, the suit to Quiet Title, deed from the City of Medford to clarify the West line of King Street and the Property Line Adjustment with the Roman Catholic Archbishop of Portland in Oregon.

It should be noted that In Ins. # 2005-042024, the description recorded to the North line of West Eleventh Street to insure access to West Eleventh Street.

The monument at the Southwesterly corner of the "Building Tract" was destroyed by paving, but replaced as shown.

The monument at the Southeast corner of the parking tract was destroyed between Phase I and II survey and was replaced as shown. Monumented the remaining corners at positions shown on the map to accompany this report.

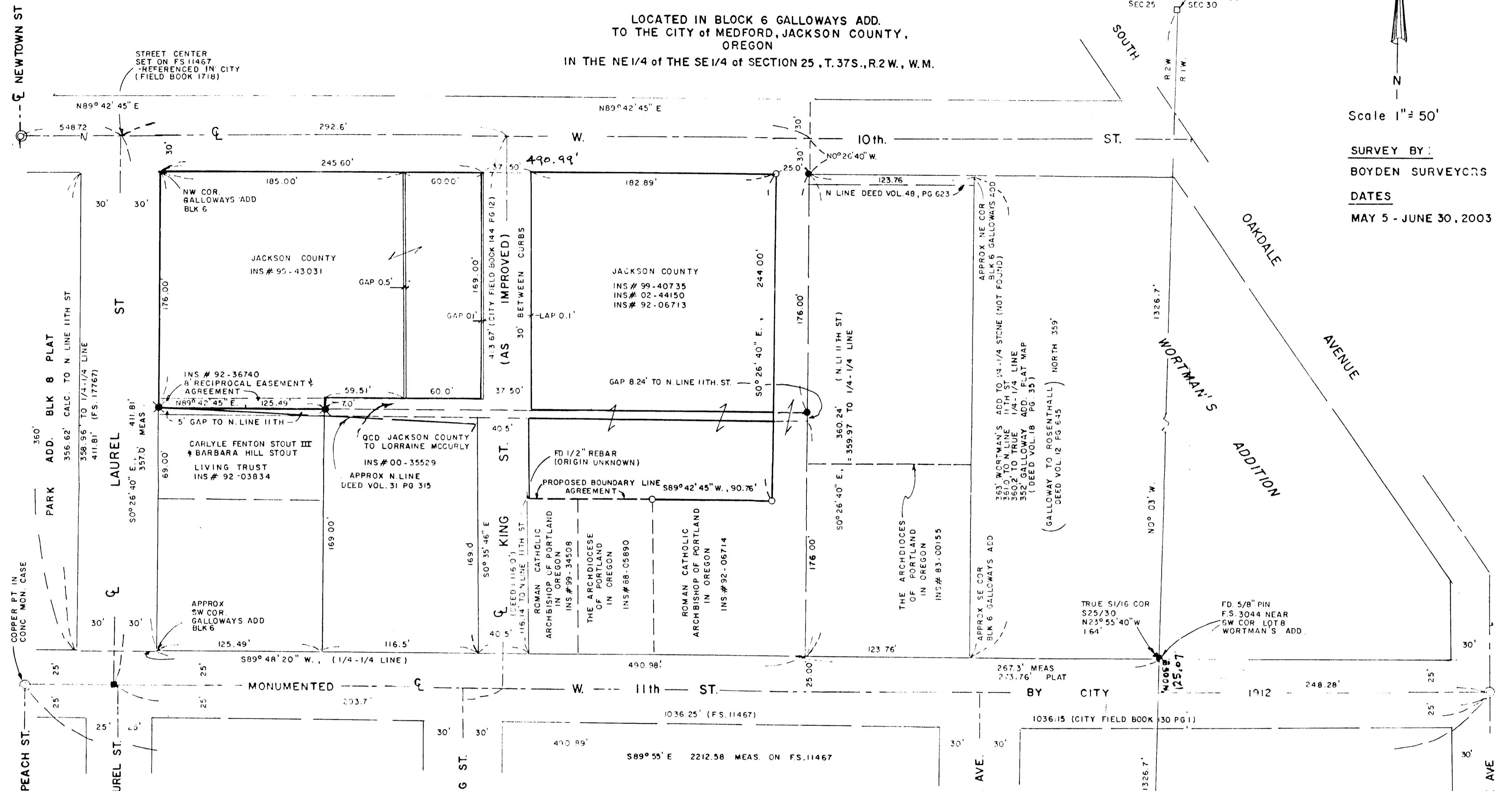


INVESTIGATIVE BOUNDARY SURVEY
of the
JACKSON COUNTY JUVENILE DETENTION CENTER
SITE

LOCATED IN BLOCK 6 GALLOWAYS ADD.
TO THE CITY OF MEDFORD, JACKSON COUNTY,
OREGON
IN THE NE 1/4 OF THE SE 1/4 OF SECTION 25, T.37S., R.2W., W.M.

Scale 1" = 50'

SURVEY BY:
BOYDEN SURVEYORS
DATES
MAY 5 - JUNE 30, 2003



LEGEND

- ⊙ ACCEPTED CITY MONUMENT IN MONUMENT CASE
- FOUND YELLOW CAPPED MONUMENT "KAISER" FS. 11467
- FOUND YELLOW CAPPED MONUMENT "FARBER" FS. 15758
- FOUND YELLOW CAPPED MONUMENT "BURRELL" FS. 5585 3" DEEP
- ✱ FOUND YELLOW CAPPED MONUMENT "NEATHAMER" FS. 17767

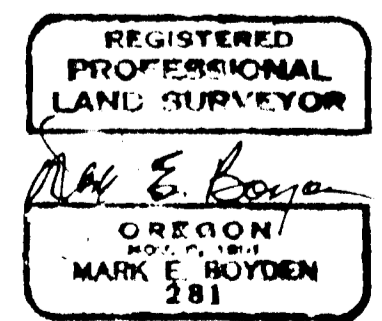
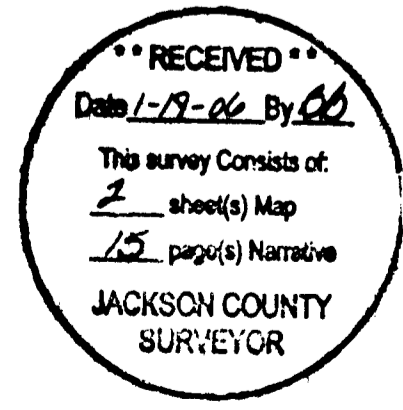
F.S. = FILED SURVEY

BASIS OF BEARINGS

☉ W. 10TH. STREET REF. FS. 98

NOTE

NO MONUMENTS SET ON THIS SURVEY
+ COMPUTED POSITION FOR SOUTH 1/16 COR S25/30



BOUNDARY SURVEY

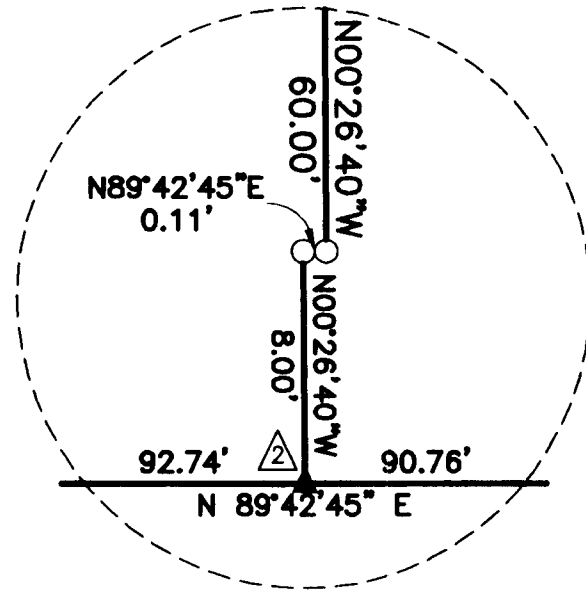
LOCATED IN
THE NORTHEAST QUARTER OF
THE SOUTHEAST QUARTER OF SECTION 25,
TOWNSHIP 37 SOUTH, RANGE 2 WEST,
WILLAMETTE MERIDIAN,
BLOCK 6 OF GALLOWAYS ADDITION,
CITY OF MEDFORD, JACKSON COUNTY, OREGON

FOR BY

JACKSON COUNTY
JUVENILE DETENTION/SHELTER CENTER
AND
ADJACENT PROPERTY

BOYDEN SURVEYORS
108 MISTLETOE STREET
MEDFORD, OREGON 97501
(541) 773-6000

MAY 5, 2003 TO DECEMBER 30, 2005



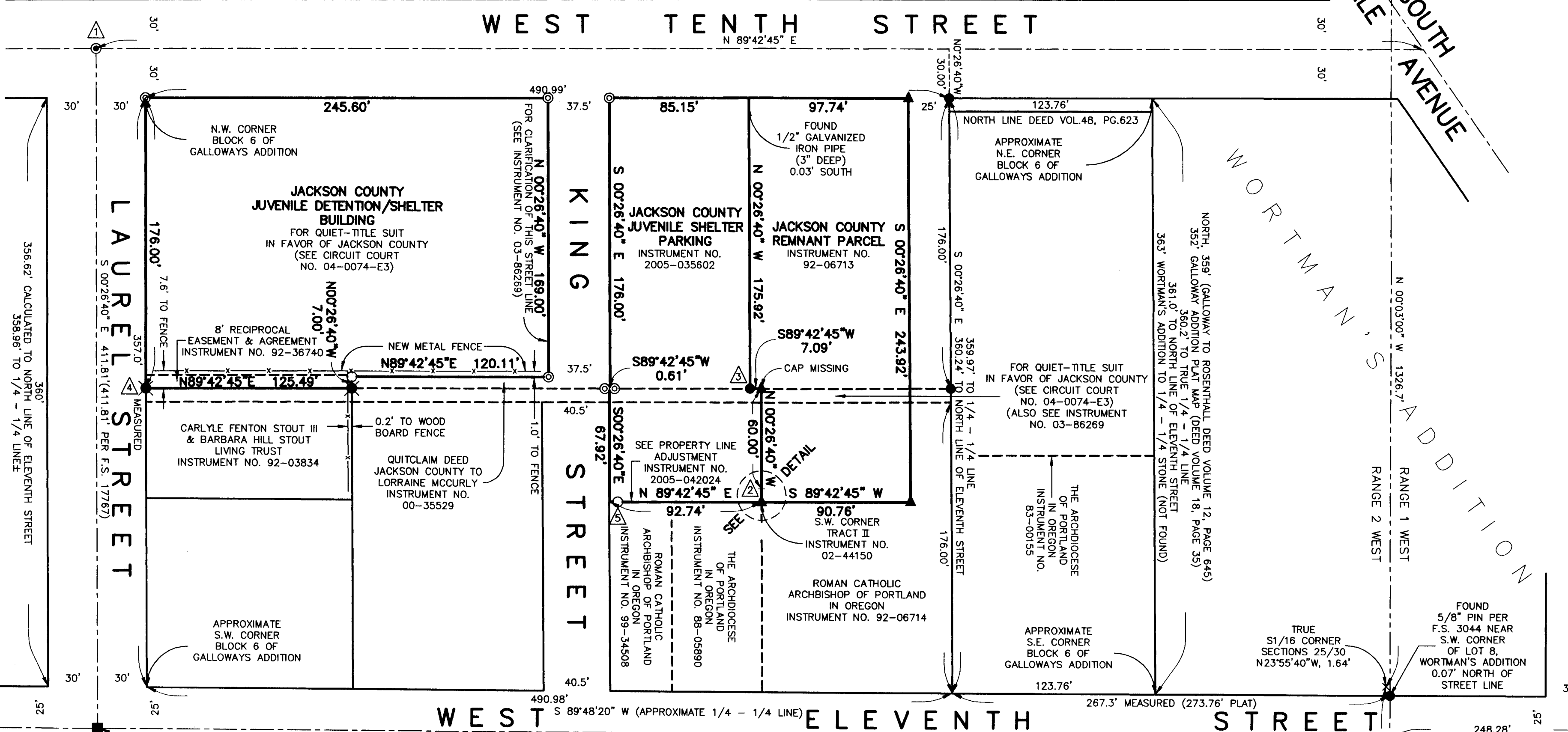
DETAIL
NO SCALE

LEGEND (SEE ADDITIONAL LEGEND BELOW)

- FOUND AND ACCEPTED CITY CENTERLINE MONUMENT IN MONUMENT CASE.
- ⊙ FOUND CENTERLINE MONUMENT SET ON F.S. 11467 AND REFERENCED IN CITY FIELD BOOK 1718, DESTROYED. RESET 5/8"x24" REBAR WITH ALUMINUM CAP STAMPED "BOYDEN PLS 281".
- FOUND YELLOW CAPPED MONUMENT "BURRELL", 3" DEEP PER F.S. 5585.
- ▲ FOUND YELLOW CAPPED MONUMENT "FARBER" PER F.S. 15758.
- ⚠ FOUND YELLOW CAPPED MONUMENT "FARBER" PER F.S. 15758, DESTROYED. RESET 5/8"x24" REBAR WITH ALUMINUM CAP STAMPED "BOYDEN PLS 281".
- FOUND YELLOW CAPPED MONUMENT "KAISER" PER F.S. 11467.
- ⊙ FOUND YELLOW CAPPED MONUMENT "KAISER" PER F.S. 11467, DAMAGED. RESET.
- ⊙ FOUND YELLOW CAPPED MONUMENT "NEATHAMER" PER F.S. 17767.
- ⊙ FOUND YELLOW CAPPED MONUMENT "NEATHAMER" PER F.S. 17767, REPLACED WITH 1" OVAL PIN BY COUNTY CONTRACTOR.

**** RECEIVED ****
 Date 1-13-06 By AB
 This survey consists of:
2 sheet(s) Map
15 page(s) Narrative
 JACKSON COUNTY
 SURVEYOR

FOUND
STONE WITH "X"
1/4 CORNER
COUNTY SURVEYOR



SCALE = 1" = 50'

COPPER POINT
IN CONCRETE
IN MONUMENT CASE

NOTE

FOR PROPERTY LINE ADJUSTMENT DEEDS SEE INSTRUMENT NO. 2005-035602 (CHURCH TO JACKSON COUNTY) AND INSTRUMENT NO. 2005-042024 (JACKSON COUNTY TO CHURCH)

LEGEND (SEE ADDITIONAL LEGEND ABOVE)

- SET 5/8" x 24" REBAR WITH ALUMINUM CAP STAMPED "BOYDEN PLS 281".
 - ⊙ SET 5/8" x 24" REBAR WITH ALUMINUM CAP STAMPED "BOYDEN PLS 281" WITNESS CORNER N89°42'45"E, 2.00' FROM PROPERTY CORNER.
 - ⊙ SET LEAD PLUG IN CONCRETE WALK WITH WASHER STAMPED "BOYDEN PLS 281".
- F.S. FILED SURVEY WITH JACKSON COUNTY SURVEYOR'S OFFICE.
- × COMPUTED POSITION FOR SOUTH 1/16 CORNER SECTIONS 25/30.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
MARK E. BOYDEN
281

EXPIRES 12/31/07

FOUND
2-1/2" BRASS DISK
SECTION CORNER
COUNTY SURVEYOR

03 86269

EXHIBIT D
Sheet 4 of 4

19044

EXHIBIT C

GAP ADJOINING THE EAST BOUNDARY OF 372W25DA TL 6300
TO QUITCLAIM TO JACKSON COUNTY
OCTOBER 22, 2003
REVISED OCTOBER 28, 2003

A strip 0.10 feet in width lying between the westerly boundary line of the real property described in Volume 126, Page 312 of the Deed Records of Jackson County Oregon and the westerly boundary line of the real property described in Volume 113, Page 348 of said Deed Records, situated in Galloway's Addition to the Town of Medford according to the Official Plat thereof, now of record in Jackson County, Oregon and more particularly described as follows:

Commencing at the northwest corner of Block 6 of said Galloway's Addition; thence East, 245.50 feet to the northwest corner of the real property described in Volume 113, Page 348 of said Deed Records for the **POINT OF BEGINNING**; thence along the westerly boundary line of said real property South, 169 feet; thence East, 0.10 feet to the westerly boundary line of the real property described in Volume 126, Page 312 of said Deed Records; thence along the westerly boundary line of said real property North, 169 feet to the northwest corner thereof; thence West, 0.10 feet to the Point of Beginning.

Containing Approximately 17 square feet

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

DEC 26 2003

8:41 AM

Spencer S. [Signature]
COUNTY CLERK

4-

EXHIBIT D
Sheet 3 of 4

19044

03 86269

EXHIBIT B

DESCRIPTION OF A STRIP OF LAND LYING BETWEEN TRACT "A" AND TRACT "B" OF PROPERTY CONVEYED TO JACKSON COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF OREGON BY INSTRUMENT NO. 99-43031 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON

Commencing at the Northwest corner of Block 6 of GALLOWAY'S ADDITION to the Town (now City) of Medford, Jackson County, Oregon; thence East along the North line of said block, 185.0 feet to the TRUE POINT OF BEGINNING; thence South, 169.00 feet; thence East 0.50 feet; thence North 169.0 feet to the North line of said block; thence West along the North line of said block, 0.50 feet to the TRUE POINT OF BEGINNING.

October 20, 2003

EXHIBIT D Sheet 2 of 4

19044

03 86269

EXHIBIT A

DESCRIPTION OF A STRIP OF LAND LYING BETWEEN THE NORTHERLY PROJECTION OF THE EAST BOUNDARY OF KING STREET PROPERTY CONVEYED TO THE CITY OF MEDFORD BY WARRANTY DEED IN VOLUME 92, PAGE 155 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON AND THE EAST BOUNDARY OF THE PROPERTY OF JACKSON COUNTY DESCRIBED AS TRACT II IN INSTRUMENT NO. 02-44150 OF THE OFFICIAL RECORDS OF SAID COUNTY, BEING IN BLOCK 6 OF GALLOWAY'S ADDITION TO THE TOWN (NOW CITY) OF MEDFORD, JACKSON COUNTY, OREGON.

Commencing at the Northwest corner of Block 6 of GALLOWAY'S ADDITION to the Town (now City) of Medford, according to the Official Plat thereof, now of record in Jackson County, Oregon: thence along the North boundary of said block, North 89° 42' 45" East, 465.99 feet to the Northeast corner of Tract II of tracts conveyed to Jackson County by Instrument No. 02-44150 of the Official Records of said County; thence South 0° 26' 40" East along the East boundary of said Tract II, a distance of 176.00 feet to the TRUE POINT OF BEGINNING; thence continue along said East boundary, South 0° 26' 40" East, 7.82 feet to a point (from which the South boundary of the Northeast Quarter of the Southeast Quarter of Section 25 of Township 37 South, Range 2 West of the Willamette Meridian in said County bears South 0° 26' 40" East, 176.00 feet); thence parallel with said Quarter-Quarter section boundary (being also the South boundary of said Block 6 of GALLOWAY'S ADDITION), South 89° 48' 20" West, 183.50 feet to the Northeast corner of Tract described in Volume 92, Page 155 of the Deed Records of said County; thence North 0° 26' 40" West, 7.52 feet to a point (from which the North boundary of said Block 6 of GALLOWAY'S ADDITION bears North 0° 26' 40" West, 176.00 feet); thence parallel with said North boundary of said Block 6, North 89° 42' 45" East, 183.50 feet to the TRUE POINT OF BEGINNING.

October 20, 2003

2-

03 86269

Exhibit "D"
8:41 No Fee
(4P)
19044

QUITCLAIM DEED

CITY OF MEDFORD, OREGON, an Oregon municipal corporation, Grantor, releases and quitclaims to JACKSON COUNTY, OREGON, a political subdivision of the State of Oregon, Grantee, all right, title and interest in and to the real property described in Exhibits A, B and C attached hereto and incorporated herein by reference.

The true consideration for this conveyance is \$-0-.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.030.

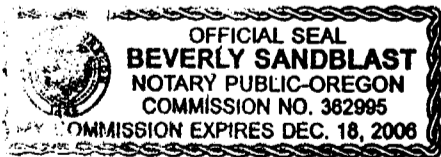
Dated this 18 day of December, 2003.

Lindsay D. Berryman
Lindsay D. Berryman
Mayor



STATE OF OREGON
County of Jackson

On this 18 day of December, 2003, Lindsay D. Berryman personally appeared before me and is known to me to be the person whose name is signed to this document, and acknowledges that she signed the document.



Beverly Sandblast
Notary Public for Oregon
My Commission expires: 12-18-06

GRANTOR: City of Medford, Oregon
GRANTEE: Jackson County, Oregon
Consideration \$-0-
After recording return to:
City of Medford
411 W. 8th St.
Medford, OR 97501

Until a change is requested, all tax statements shall be sent to:
Jackson County
Medford, OR 97501

Record Without Fee

Luan E. Seach

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1. Plaintiff is awarded judgment for Quiet Title against defendants.

2. All persons or parties claiming any right, title, lien or interest in the property described in the complaint are declared to be in default herein and such default is hereby entered of record.

3. Defendants, and those claiming under defendants, are enjoined from asserting any estate, title, claim, lien or interest in the premises or any portion thereof.

4. Plaintiff is the owner in fee simple in the real property described as: 372W25DA, Tax Parcels 6300, 5900, 5901, 6000, 6100, 7100, deeds numbered 99-40735, 02-44150, 92-06713 and 99-43031 less 00-35529, including a gap of 0.5' on Tax Parcel 6300 between Tracts A and B and a gap of ± 7.70' between Tax Parcels 7100 and 6100, 5900 and 5901.

5. Plaintiff is entitled to immediate possession of the real property described above free of any estate, title, claim, lien or interest of defendants or those claiming under defendants.

DATED this 16 day of March, 2004.

DANIEL L. HARRIS

CIRCUIT COURT JUDGE

Submitted by:
Beth A. Lori, OSB#91164
Jackson County Assistant Counsel
Of Attorneys for Plaintiff

Office of County Counsel
Jackson County Courthouse, Room 118A
10 S. Oakdale Avenue
Medford, Oregon 97501
Telephone: (541) 774-6160
Fax: (541) 774-6722

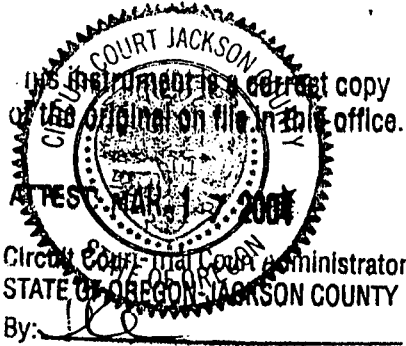
EXHIBIT C Sheet 4 of 5

19044

COPY

AND
**PLEASE CONFORM & RETURN
TO COUNTY COUNSEL
AFTER JUDGE SIGNS**

JACKSON COUNTY COURTS
DOCKETED BY _____



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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

JACKSON COUNTY, a political subdivision
of the State of Oregon,
Plaintiff,

v.

ALL PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
HEREIN,
Defendants.

No. 04-0074-E3

GENERAL JUDGMENT OF DEFAULT

THIS MATTER came before the Court upon the motion of Plaintiff for an order of default against all persons or parties unknown claiming any right, title, lien or interest in the property described in the complaint. It appears from the records and files herein that defendants were duly served with summons and complaint in Jackson County, Oregon by publication in the Medford Mail Tribune, a newspaper of general circulation in Jackson County, Oregon, once each week for four successive weeks with the information required by ORCP 7 C(3) and D(6)(b). No persons or parties answered or claimed any right, title, lien, or interest in the property, nor made any appearance herein, although the time provided therefor has expired. It further appears defendants were not, at the time, nor are now, in the military service of the United States nor minors, protected people or respondents as defined in ORS Chapter 125. Based on the records and files herein, and the court being fully advised in the premises, now, therefore,

IT IS HEREBY ORDERED AND ADJUDGED that:

Jackson County Courthouse, Room 118A
10 S. Oakdale Avenue
Medford, Oregon 97501
Telephone: (541) 774-6160
Fax: (541) 774-6722

Affidavit of Publication

State of Oregon,)
) ss.
 County of Jackson)

I, Talea Whitehead, being first duly sworn, depose and say that I am the Principal Clerk of Medford Mail Tribune newspaper of general circulation, printed and published at Medford in the aforesaid county and state; that the

Summons

No. 040074E3

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 4 insertions in the following issues: Jan. 25, Feb. 1, 8, 15, 2004.

Talea Whitehead

Subscribed and sworn to before me this 19th day of February, 2004.

Teri Lee Garrison

 notary public for Oregon

My Commission expires 25th day of July, 2005.

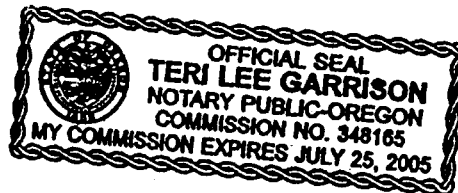


EXHIBIT A
 PAGE: 1 OF 1

SUMMONS

No. 040074E3

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

JACKSON COUNTY, a political subdivision of the State of Oregon, Plaintiff, v. ALL PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, LIEN OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN, Defendants.

TO: Defendants:

You are hereby required to appear and defend the complaint filed against you in the above-entitled action within 30 days of the date of first publication of this summons, and in case of your failure to do so, for want thereof, plaintiff will apply to the court for the relief demanded in the complaint.

SUMMARY STATEMENT

The object of the complaint is to quiet title to the gap of 0.5' on Tax Parcel 6300 between Tracts A and B and a gap of more or less 7.70' between Tax Parcels 7100 and 6100, 5900 and 5901, legally described as 372W25DA, and as reflected in deeds numbered 99-40735, 02-44150, 92-06713 and 99-43031 less 00-35529, Medford, Jackson County, Oregon. The relief being sought is to require any persons claiming an interest in the real property to set forth the nature of their complaint, determine all adverse claims, declare plaintiff to be the fee simple owner of the property and enjoin any other persons from asserting any interest in the property.

NOTICE TO THE DEFENDANT READ THESE PAPERS CAREFULLY!

You must "appear" in this case or the other side will win automatically. To "appear" you must file with the court a legal paper called a "motion" or "answer". The "motion" or "answer" (or "reply") must be given to the court clerk or administrator within 30 days of the date of first publication specified herein along with the required filing fee. It must be in proper form and have proof of service on the plaintiff's attorney or, if the plaintiff does not have an attorney, proof of service upon the plaintiff.

If you have any questions, you should see an attorney immediately. If you need help in finding an attorney, you may call the Oregon State Bar's Lawyer Referral Service at (503) 684-3763 or toll-free in Oregon at (800) 452-7636.

This Summons is first published on January 25, 2004.

Dated: January 20, 2004.
 Beth A. Lort, OSB #91164
 Assistant County Counsel
 For Jackson County
 Attorney for Plaintiff

AFFIDAVIT OF BETH A. LORI

STATE OF OREGON }
County of Jackson } ss.

I, Beth A. Lori, being first duly sworn, depose and say:


1. I am the assistant county counsel for Jackson County. One of my duties is to assist the county with legal matters involving the juvenile facility being constructed on West Tenth Street, near King and Oakdale Streets in Medford, Oregon.

2. Pursuant to ORCP 7D(6)(a) and (g), the Court entered an order for service of defendants by publication on January 13, 2004.

3. Defendants were summoned pursuant to ORCP 7D(6) and ORCP 20 J, by publication in the Medford Mail Tribune, a newspaper of general circulation in Jackson County, Oregon, once each week for four successive weeks beginning January 25, 2004 with the information required by ORCP 7 C(3) and D(6)(b) as reflected in a copy the Affidavit of Publication attached hereto as Exhibit "A"

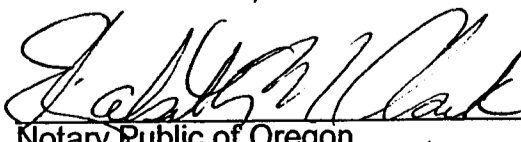
4. No person or parties answered or claimed any right, title, lien, or interest in the property nor made an appearance herein, although the time provided therefore has expired.

5. I have no information indicating the unknown defendants were, at the time, nor are now, in the military service of the United States, minors, protected people or respondents as defined in ORS Chapter 125.


Beth A. Lori

SUBSCRIBED AND SWORN to before me this 10, day of March, 2004.




Notary Public of Oregon
My Commission Expires: 110204

Office of County Counsel
Jackson County Courthouse, Room 118A
10 S. Oakdale Avenue
Medford, Oregon 97501
Telephone: (541) 774-6160
Fax: (541) 774-6722

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04 MAR 13 AM 10:33
JACKSON COUNTY COURTS
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Exhibit "C"

19044

COPY

PLEASE CONFORM & RETURN
TO COUNTY COUNSEL
AFTER JUDGE SIGNS

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR JACKSON COUNTY

JACKSON COUNTY, a political subdivision
of the State of Oregon,

Plaintiff,

v.

ALL PERSONS OR PARTIES UNKNOWN
CLAIMING ANY RIGHT, TITLE, LIEN OR
INTEREST IN THE PROPERTY
DESCRIBED IN THE COMPLAINT
HEREIN,

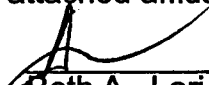
Defendants.

No. 04-0074-E3

PLAINTIFF'S MOTION FOR ORDER
OF DEFAULT, ORDER, AFFIDAVIT
AND DEFAULT JUDGMENT

Pursuant to ORCP 69, Plaintiff moves the court for an order of default and default judgment against the defendants for failure to file an answer, or make any appearance, in the above-referenced action within the time prescribed by law. This motion is supported by the records and files herein and the attached affidavit of Beth A. Lori, Attorney.

DATED March 10, 2004.


Beth A. Lori, OSB #91164
Assistant County Counsel for Jackson County
Attorney for Plaintiff

ORDER

MOTION GRANTED, and the Default is hereby entered of record.

MOTION DENIED

DANIEL L. HARRIS

DATED 3-14, 2004

Circuit Court Judge

Prepared/submitted by Beth Lori, OSB #91164
Assistant County Counsel

04 MAR 13 PM 2:30
JACKSON COUNTY COURTS
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1/01

City Recorder, wherein the said piece of ground conveyed to Galloway by Rosenthal prior to the platting of said Galloway's Addition to the City of Medford is designated as part of Wortmans Addition to said City, and the part of said Rosenthal's plot of land which was originally part of the grant by Beekman to Galloway is situate as adjoining the southeast line of said Galloway's Addition and having said line as a common boundary.

That said beginning point is the NE cor of $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of said Section 25 in said Township and range.

Witness my hand and seal this 1st day of June, 1910

J: Howard (Seal)

State of Oregon

Jackson County, SS:

I certify that on this 1st day of June, 1910 before me the undersigned notary Public in and for said state and county, personally appeared the within named J: S. Howard to me personally known to be the person described in and who executed the foregoing instrument and who being by me first duly sworn did say that the statement of facts as set forth in the foregoing is a full, true and correct statement of the facts in relation to the matter as set forth therein; and said J: S. Howard acknowledged to me the execution of the foregoing instrument freely and voluntarily and for the purposes therein expressed.

Witness my hand and official seal this 1st day of June, 1910

Gus Newbury,

Notary Public

Notarial seal,

Gus Newbury.

Filed for record at 1 o'clock P.M. June 7th, 1910.

R. T. Burnett, Recorder.

JACKSON COUNTY MISCELLANEOUS RECORDS

State of Oregon
County of Jackson SS:

J.S. Howard being duly sworn according to law, deposes and says that for 50 years he has been engaged in the Profession of surveyor and Registrar of lands and boundaries and has mainly practiced his profession in the County of Jackson and City of Medford in the State of Oregon.

That in the year 1887 he was employed to make a Plat and survey of the division of the land of one Frank Galloway whose land adjoined the limits of the said City of Medford.

That said lands as originally obtained by said Galloway are described in a certain deed made by C.C. Beekman and Julia, his wife, to said Frank Galloway dated July 23, 1885, filed same day and recorded in Vol II Deeds Page 741 Jackson County Records. That when the deponent came to make said Plat and survey he found that said Galloway & wife had by deed dated Feb 18, 1886 and recorded Vol. 12 Page 645 Jackson County Records conveyed to one Simon Rosenthal that Part of the land described in said original grant to said Galloway: And in making said Plat this deponent at the request of said Galloway included in the lines of said Plat all of the said original tract and carefully indicated by Pink water coloring the Part thereof then owned by said Frank Galloway so that the Part of said original land conveyed to said Simon Rosenthal is clearly indicated as being the Plat adjoining Block 6 to the east and appearing upon said map without any coloring whatsoever, as will appear more plainly by an inspection of the original map on file in Jackson County Records Vol 18 Page 35. This deponent also indicated in the same way on said Plat other blocks of said Piece of land as originally purchased by said Galloway and which he has conveyed to others prior to the making of said Plat, so that said Plat, so made by me for said Galloway in fact, and was so intended, confirmed to the grantees when signed and recorded by said Galloway the Parts they had respectively obtained by prior grant from said Galloway & wife.

That deponent actually surveyed said Property and marked the corners thereof, and of the subdivisions and the exceptions as above stated when they came into the lines of said Galloway's Addition as Platted by him.

That deponent particularly marked the beginning corner of the Plat of ground conveyed by Galloway to Rosenthal and the second corner thereof 165 feet to the west of the beginning corner. That said beginning corner was a well known land mark in the Properties cornering there and could be designated either as a point in Sec 25 etc, or a ~~Raxian~~ Point in the Township lines according as the conveyancer might chose to describe the same.

That in whatsoever way that point was described or designated it was so well known and generally recognized that there never was, so far as the deponent knows, any confusion at any time in locating the same, and the deponent has been acquainted with the same for more than twenty one years. That the deponent in making said plat and subsequent survey had no difficulty whatever in locating the said Rosenthal beginning corner by the descriptions in the deed from Galloway to said Rosenthal. That the plat so filed and the survey and corner markings made in pursuance thereof were accepted by all the Parties as designating their respective holdings and boundaries. And so far as said Frank Galloway was concerned it was a full confirmation of his previous grants and there was an actual careful marking and designation on the ground by this deponent, so that he, Galloway, could safely and certainly convey his remaining lands to other Parties.

And the surveying and marking was done at the employment and request of said Galloway.

That the title of the public to all the streets designated upon said plat within the bounds of the land then owned by said Galloway depends upon the force and effect of the plat and accompanying deed poll to vest the same in the proper public authorities.

That at this time deponent was mayor of the city of Medford and no action was taken by the city to accept said plat, but subsequently by act of the legislature of the State of Oregon passed at the special session of 1905, the City of Medford was incorporated and by subsequent ordinance, and proper vote, the geographical limits and boundaries of said City were extended so as to include inter alia the Plat of Galloway's Ground, whereby the same became part of the public plat of the city and is so recorded in the office of the

Re: Investigative Boundary Survey
Jackson County Juvenile's
Detention Center Site
Block 6, GALLOWAY'S ADDITION
Medford, Oregon

4. The boundary between the County and the multiplex at 11th and King appears to be correct by the County Deeds as the "5' - 8' E-W gap" has been bridged by a more-or-less call in Instrument No. 00-35529.
5. If the ownership of the "5'-8' E-W gap" needs more clarification, contact you local ^{town} title company and legal counsel.

It's been an honor to make this study with the County on these matters, and hopefully it will help to clarify the County boundary problems, and also help other owners abutting West Eleventh Street and WORTMAN'S ADDITION in the future.

Respectfully yours,

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Mark E. Boyden
MARK E. BOYDEN
OREGON
NOV. 2, 1991
MARK E. BOYDEN
281

Expires: 12/31/03.

MEB:sb

19044

Re: Investigative Boundary Survey
 Jackson County Juvenile's
 Detention Center Site
 Block 6, GALLOWAY'S ADDITION
 Medford, Oregon

The position of West Eleventh Street as platted on BARR'S ADDITION, dated in April 1888, has been questionable as early as July 22, 1908, when the City Surveyor reported in City Field Book 2, Page 47 that the street center at West 11th Street and Oakdale was "not settled yet", even though in City Field Book 9, Page 6 in May 1908, shows the "1/4 - 1/4" stone 0.40' North of property line near an existing "East-West" fence.

A further study of city survey records revealed the city paving plans for Eleventh Street West from Oakdale to Peach Street dated July, 1912. From said plans, Eleventh Street shows an improvement width of 50 feet and City Surveyor Sawyer referencing the centerline monuments on July 5, 1912 in City Field Book 130, Page 1 indicates the concrete sidewalk on the North side of Eleventh Street to be on the "property line." Further city research in the City Clerk's office revealed in their bound "Ordinance" book that the paving and curbing contract on West Eleventh Street from Oakdale to Peach for 30 feet width on Ordinance #694 was approved July 16, 1912 (the sidewalk construction was apparently done by property owners). Ordinance #765 approved the Assessments, gave the length of assessment, and deed references for the abutting property owners from Oakdale to Laurel on the North side of Eleventh Street on July 13, 1913.

It appears to the writer herein, that the Initial Point "1/4 - 1/4" stone and position have been lost, sometime between 1908 and the paving of West Eleventh Street in 1912. Also, that the adjacent property owners apparently consented to the paving of West Eleventh Street, with a right-of-way width of 50 feet, even though we have found no record of the City acquiring additional right-of-way beyond the platted width of 40' - 43' width shown on BARR'S ADDITION. With the "1/4" - 1/4" stone position lost, the logical position for said "1/4 - 1/4" corner is as shown on map Exhibit "A".

The position of said "1/4 - 1/4" line running Westerly to Laurel Street was determined by a subdivision of said Section 25 by Surveyor C. Z. Boyden in 1946, a copy of the notes of said survey being in the City Surveyor's files. The location of the true "1/4 - 1/4" line with respect to the North line of 11th Street, being 25.0 feet Northerly from the City monumented centerline, is relatively in close agreement in this area of study, and which every line is finally utilized, the major "5' - 8' E-W" gap does not disappear.

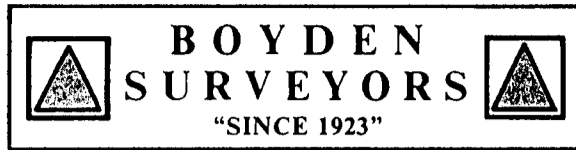
From this data, enclosed the subject area with an E.D.M. traverse, tying to monuments shown on map Exhibit "A".

The following suggestions for the County are as follows:

1. Negotiate a boundary agreement with the Archdiocese of Portland from the Southwest Farber monument set on Filed Survey No. 15578 Westerly to King Street.
2. If the Ingress-Egress easement and agreement with the Stout Living Trust property is no longer applicable, negotiate a boundary agreement with the Stouts.
3. If access is needed from King Street, negotiate an agreement with the City to try to eliminate the laps and gaps as shown on map Exhibit "A"

EXHIBIT A

19044



MARK E. BOYDEN
R.P.L.S. ORE. 281
108 MISTLETOE ST., MEDFORD, OREGON 97501
PHONE (503) 773-6000

June 25, 2003

Jackson County
c/o David Kanner
County Administrator's Office
10 South Oakdale Avenue
Medford, OR 97501

Re: Investigative Boundary Survey
Jackson County Juvenile's
Detention Center Site
Block 6, GALLOWAY'S ADDITION
Medford, Oregon

Dear Mr. Kanner,

This letter is to supplement the boundary survey map dated May 5 - June 30, 2003, labeled Exhibit "A", prepared by this office. A brief survey history of the area should be helpful in addressing various boundary and title problems that presently exist in Block 6 of GALLOWAY'S ADDITION, a recorded subdivision, recorded in Volume 18, Page 35 of the Deed Records of Jackson County, Oregon.

The distance shown on the plat between the South boundary of West 10th Street and South boundary of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 37 S., R. 2 W., W.M. of 352 feet is obviously in error. However, most of the original partition deeds in the Southerly portion of Block 6, either begin on the South boundary of Block 6 or the "1/4 - 1/4" section line and run North, 176 feet and do not tie to the South boundary of the lots in the Northerly portion of Block 6 that ran South, 176 feet.

The original dedicator of GALLOWAY'S ADDITION was aware of this discrepancy when he deeded the parcel to the East of Block 6 to Rosenthal in Deed Volume 12, Page 645, calling this distance 359 feet. Also, his first deed out in Block 6, Frank Galloway conveyed to J. H. Caruthers in Deed Volume 15, Page 291 in March of 1888 as 352 feet, more-or-less to the Quarter-Quarter section line. According to my limited title research, this leaves a gap of 5 feet at Laurel Street to more than 8 feet at the East boundary of the County property described in Instrument No. 92-06713, Official Records. There are other "gaps" occurring throughout the County property, some of which are shown on our survey map, which a more definitive title search could be made, to determine the legal heirs of the owners of said "gaps". Of the major "5' - 8' + East-West gap," the original owners are George W. Issacs and Mary A. Issacs, husband and wife and Silas J. Day and Mary E. Day as disclosed by Deed Volume 26, Page 30, dated February 29, 1892.

Another major boundary problem involves the location of said "1/4 - 1/4" section line as originally described, as located by Surveyor J. S. Howard (see his Affidavit as recorded in Volume "D", Pages 431 and 432, a copy of which is labeled Exhibit "B"), by surveyor, Garl T. Jones, on the recorded plat of WORTMANS ADDITION, Jan. 1905, where he refers to the Initial Point, being a stone 4x6x10 inch, and by the true position of SE corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 25 as shown on map Exhibit "A".