

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that Peter T. Naumes, Roberta M. Naumes, Thomas Becker, Reginald P. Breeze and Annette C. Breeze, husband and wife, and LES SCHWAB TIRE CENTERS OF OREGON, INC. an Oregon company, hereinafter referred to as Declarants, are the fee title owners of the real property as depicted hereon, being more particularly described in the "SURVEYOR'S CERTIFICATE" herewith. Declarants have caused this tract of land to be surveyed and platted into lots, a street, easements, and Reserve Acreage, 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 Declarants hereby designate this subdivision as "STARLITE SUBDIVISION, PHASE 1". Declarants hereby dedicate to the City of Medford, for public use, additional right of way along South Pacific Highway, Matt Loop, as a public right of way and street, and all public utility easements as depicted hereon, does hereby create that "Temporary Turnaround Easement", for the use and benefit of the City of Medford, over, through and across Phase 2 (Reserve Acreage), that shall be extinguished upon the extension of Matt Loop, and does hereby convey in fee simple to the City of Medford, those areas depicted hereon as 1' street plug (1 foot wide). By approval of this plat, the City of Medford declares that upon the extension and dedication of the remainder of Matt Loop (in future Phase 2), shall dedicate said street plugs as right of way for street purposes.

IN WITNESS WHEREOF, signed this 16 day of DECEMBER, 2005

Reginald P. Breeze, Annette C. Breeze, Peter T. Naumes, Roberta M. Naumes, Thomas Becker

AFFIDAVIT OF CONSENT for this subdivision by LES SCHWAB TIRE CENTERS OF OREGON, INC, as recorded in Instrument Number 2005-071182, of the Official Records of Jackson County, Oregon.

STATE OF OREGON } ss County of Jackson

Personally appeared before me the above named Reginald P. Breeze and Annette C. Breeze acknowledged the foregoing instrument, to be their voluntary act and deed.

WITNESS my hand and seal this 16 day of DECEMBER, 2005

Before me: Renate Koehler, NOTARY PUBLIC-OREGON, COMMISSION NO.: 393532, MY COMMISSION EXPIRES: JUNE 13, 2009



STATE OF OREGON } ss County of Jackson

Personally appeared before me the above named Peter T. Naumes acknowledged the foregoing instrument, to be his voluntary act and deed.

WITNESS my hand and seal this 16 day of DECEMBER, 2005

Before me: Renate Koehler, NOTARY PUBLIC-OREGON, COMMISSION NO.: 393532, MY COMMISSION EXPIRES: JUNE 13, 2009

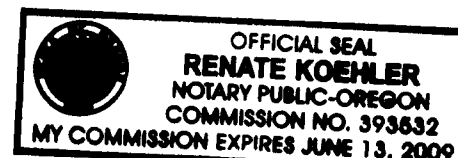


STATE OF OREGON } ss County of Jackson

Personally appeared before me the above named Roberta M. Naumes acknowledged the foregoing instrument, to be her voluntary act and deed.

WITNESS my hand and seal this 16 day of DECEMBER, 2005

Before me: Renate Koehler, NOTARY PUBLIC-OREGON, COMMISSION NO.: 393532, MY COMMISSION EXPIRES: JUNE 13, 2009



STARLITE SUBDIVISION, PHASE 1

Located within Donation Land Claim No. 38, in the Northeast One-quarter of Section 5, Township 38 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon

PREPARED FOR:

STARLITE PROPERTIES, LLC, 1066 TAMARA CIRCLE, MEDFORD, OREGON 97504

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-04-215).

Procedure: Utilizing a Nikon DTM-520, a Trimble 5700 Global Positioning System (GPS), and a Trimble TSCc data collector with Trimble Survey Controller software, all found monuments were tied via closed traverses or by redundant ties. Records utilized were: Volume 373, Page 101 of the Deed Records of Jackson County, Oregon; Documents Numbered 05-42238 and 05-42270 of the Official Records of Jackson County, Oregon, and Surveys Numbered 8723, 13353, 16745, 18558 and Roll Map 103/5, as filed in the office of the Jackson County Surveyor.

Utilizing the found monuments set per SN 8723 and 13353, 18558 and Roll Map 103/5, established the relocated centerline of the highway. Utilizing the right of way dedicated per said Volume and Page, established the northeasterly right of way, being common with the westerly boundary of the subject tract.

Utilizing said documents numbered 05-42268 and 05-42270 and the monuments defining the west line of Donation Land Claim No. 38, established the True Point of Beginning. Pursuant to said document, held the north-northwesterly boundary parallel to said claim line, and the easterly boundary parallel to said right of way. It was resolved that the intent of the creating deed was to hold the northerly and southerly boundaries perpendicular to said right of way, and was computed as such. The southwest deed corner was established per Survey Number 18558, as depicted hereon.

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

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. 38, being in the Northeast One-quarter of Section 5, Township 38 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon. The exterior boundary of which is more particularly described as follows:

Commencing at a monument marking the southwest corner of Donation Land Claim No.38, in said township and range; thence along the west line thereof, North 00°02'25" West, 784.46 feet to a point on the northeasterly right of way of the Pacific Highway No. 99; thence along said right of way line, South 37°44'04" East, 40.81 feet to the most northerly point of said northeasterly right of way, per Volume 373, Page 101 of the Deed Records of Jackson County, Oregon, and the True Point of Beginning; thence North 00°02'25" West, and parallel to said claim line, 300.10 feet (Record: North 00°03' West); thence North 52°10'56" East, 506.06 feet (Record: North 52°04' East, 506.06); thence South 37°44'04" East, 650.00 feet (Record: South 37°51' East, 650.00 feet); thence South 52°10'56" West, 684.90 feet (Record: South 52°04' West), to aforesaid northeasterly right of way, per said Volume 373, Page 101; thence along said right of way, North 37°44'04" West, 412.81 feet (Record: North 37°51' West), to the Point of Beginning.

Cael E. Neathamer, Surveyor

STATE OF OREGON } ss County of Jackson

Personally appeared before me the above named Thomas Becker acknowledged the foregoing instrument, to be his voluntary act and deed.

WITNESS my hand and seal this 17 day of DECEMBER, 2005

Before me: Renate Koehler, NOTARY PUBLIC-OREGON, COMMISSION NO.: 393532, MY COMMISSION EXPIRES: JUNE 13, 2009



NOTES:

STARLITE SUBDIVISION, PHASE 1, is subject to the following matters of record:

- 1) These premises are situated in the Medford Irrigation District, and subject to the levies and assessments thereof, water and irrigation rights, easements for ditches and canals and regulations concerning the same.
2) The premises herein described are within and subject to the statutory powers of the Rogue Valley Sewer Services, their successors and assigns, if any.
3) Rights of the public in and to any portion lying within the limits of public roadways, if any, and/or rights of private parties over any portion lying within existing roadways or driveways not disclosed by the public records.

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, January 30, 2006 Date

PLANNING FILE NUMBER: LDS-04-215

Examined and approved this 20th day of January, 2006

City Engineer, City Surveyor

All taxes, fees, assessments, or other charges as required by O.R.S. 92.045

have been paid as of February 1st, 2006

Tax Collector, Deputy

Examined and approved as required by O.R.S. 92.100 this 1st day of February, 2006

Deputy

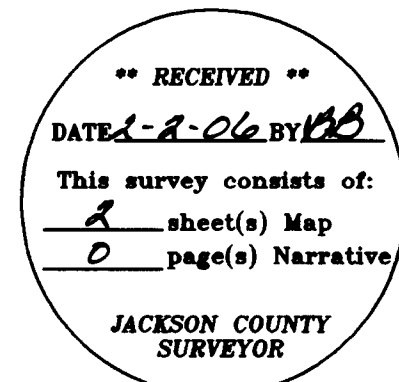
RECORDING

FILED FOR RECORD THIS 2nd DAY OF February, 2006 AT 11:10 O'CLOCK A.M. AND RECORDED IN VOLUME 32 OF PLATS AT PAGE 9 OF THE RECORDS OF JACKSON COUNTY, OREGON.

Kathleen S. Beckett, Carmen D. Helman, County Clerk, Deputy

APPROVED FOR RECORDING: County Commissioner/Administrator, FEB 07, 2006 Date

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



Cael E. Neathamer, OREGON, JULY 08, 2001, CAEL E. NEATHAMER, 58545, Renewal Date 12/31/06

PREPARED BY: Neathamer Surveying, Inc. 3132 State Street, Suite 110 P.O. Box 1584 Medford, Oregon 97501-0120 Phone (541) 732-2869 FAX (541) 732-1382

PROJECT NUMBER: 04092 DATE: December 15, 2005 Sheet 1 of 2 GEN DRC

STARLITE SUBDIVISION, PHASE 1

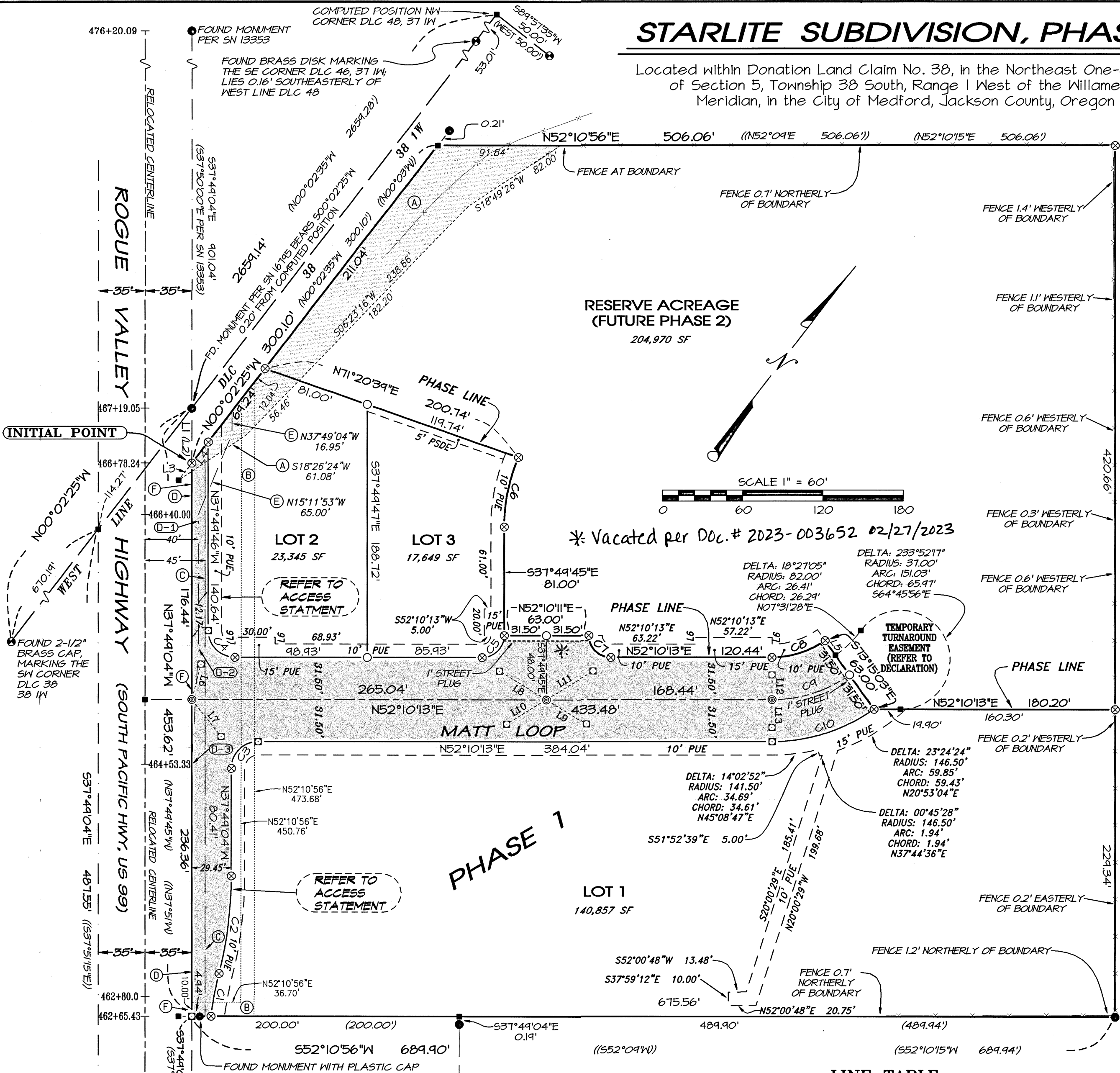
Located within Donation Land Claim No. 38, in the Northeast One-quarter of Section 5, Township 38 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon

PREPARED FOR:

STARLITE PROPERTIES, LLC.
1066 TAMARA CIRCLE
MEDFORD, OREGON 97504

LEGEND

- Indicates a set 5/8 inch diameter iron pin, 24 inches in length, with an orange plastic cap marked "C. NEATHAMER LS 56545".
- ⊗ 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 set 5/8 inch diameter iron pin, 30 inches in length, with an aluminum cap marked "C/L MON. LS 56545".
- Indicates a set 3/8-caliber shell casing with brass tag marked "NEATHAMER LS 56545" set in curb line.
- ▲ Indicates a found 5/8 inch iron pin with an orange plastic cap marked "C. NEATHAMER LS 56545", per SN 18558.
- Indicates a found 5/8 inch iron pin with plastic cap marked "L.J. FRIAR & ASSOC", per SN 16795; or, as noted hereon.
- ⦿ Indicates a found monument as noted hereon.
- Indicates a computed position, nothing found or set.
- (()) Indicates record information per Document No. 02-06275 of the Official Records of Jackson County, Oregon.
- () Indicates record information per SN 16795.
- SN Indicates a survey filed number in the office of the Jackson County Surveyor.
- Doc. No. Indicates a document number pursuant to the Official Records of Jackson County, Oregon.
- Vol. Pg. Indicates a document number pursuant to the Deed Records of Jackson County, Oregon.
- (A) Indicates an easement to Martin Heitkamp, as set forth in Volume 55, Page 305 of the Deed Records of Jackson County, Oregon.
- (B) Indicates a perpetual easement and right of way to construct, repair, maintain and use sanitary sewer lines, including the terms and provisions thereof, as set forth in Volume 428, Page 219 of the Deed Records of Jackson County, Oregon.
- (C) Indicates the easterly line of a 10' wide perpetual easement and right of way to construct, repair, maintain and use water transmission lines, including the terms and provisions thereof, as set forth in Volume 438, Page 243 of the Deed Records of Jackson County, Oregon.
- (D) All existing, future or potential common law or statutory abutter's easements of access between the right of way of the relocated Pacific Highway and the herein described property, except at designated points, were bargained, sold, conveyed and relinquished to the State of Oregon, by and through its State Highway Commission, by deed recorded in Volume 373, Page 101, of the Deed Records of Jackson County, Oregon.
- (D-1) Designated access angle point per Volume 373, Page 101, at centerline station 466+35.00, 40.00' right.
- (D-2) Designated access angle point per Volume 373, Page 101, at centerline station 465+40.00, 40.00' right.
- (D-3) Designated access at right of way per Volume 373, Page 101, at centerline station 464+53.33, 35.00' right.
- (E) Permanent easement to construct and maintain highway slopes, and to construct, relocate, operate, and maintain T.V., telephone, electric power line facilities, a drainage facility, and appurtenances, including the terms and provisions thereof, granted to the State of Oregon, by and through its Department of Transportation, Highway Division, as set forth in Document No. 87-08388 of the Official Records of Jackson County, Oregon.
- (F) Easements for transmission and distribution of electricity as set forth in Volume 105, Page 472, and Volume 376, Page 353 of the Deed Records of Jackson County, Oregon, do not specifically give location. Existing transmission lines and poles exist along the westerly boundary of the subject tract, as depicted hereon.



* Vacated per Doc. # 2023-003652 02/27/2023

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
C1	265.00'	07°01'01"	32.45'	N27°04'41"W	32.43'
C2	295.00'	14°14'47"	73.35'	N30°41'40"W	73.16'
C3	20.00'	89°59'17"	31.41'	N07°10'34"E	28.28'
C4	20.00'	90°00'02"	31.42'	N82°49'47"W	28.28'
C5	16.50'	89°59'58"	25.92'	S07°10'14"W	23.33'
C6	131.50'	23°14'26"	53.34'	S26°12'32"E	52.97'
C7	16.50'	90°00'02"	25.92'	N82°49'46"W	23.33'
C8	68.50'	35°25'11"	42.35'	N34°27'37"E	41.67'
C9	100.00'	35°25'12"	61.82'	N34°27'37"E	60.84'
C10	131.50'	35°25'13"	81.29'	N34°27'36"E	80.01'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S37°49'04"E	40.81'
L2	S37°49'45"E	40.80'
L3	N00°02'25"W	16.32'
L4	N00°02'25"W	19.86'
L5	S73°15'06"E	13.50'
L6	N23°12'17"W	21.16'
L7	S76°01'56"E	35.24'
L8	S83°34'29"W	40.96'
L9	N83°34'29"E	34.92'
L10	S20°37'02"W	34.78'
L11	N20°37'02"E	40.82'
L12	N37°49'52"W	18.41'
L13	S37°49'52"E	20.93'

ACCESS STATEMENT:

LOTS 1, 2 AND 3 SHALL GAIN ACCESS FROM MATT LOOP. LOTS 1 AND 2 SHALL NOT HAVE DIRECT ACCESS TO SOUTH PACIFIC HIGHWAY.

I hereby certify that this is an exact copy of the original.

Carl E. Neathamer
Surveyor

BASIS OF BEARINGS:

Geodetic North based on NAD83 datum, attained by Global Positioning System (GPS) observations. Bearing base applied to the relocated centerline of the Rogue Valley Highway (Pacific Highway 99).

RECEIVED
DATED 2-2-06 BY *AB*
This survey consists of:
2 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
Carl E. Neathamer
OREGON JULY 09, 2001
CAEL E. NEATHAMER 56545
Renewal Date 12/31/06

PREPARED BY: Neathamer Surveying, Inc.
3132 State Street, Suite 110
P.O. Box 1584
Medford, Oregon 97501-0120
Phone (541) 732-2869
FAX (541) 732-1382

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Sheet 2 of 2