DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that NORTH MOUNTAIN LAND COMPANY, LLC, an Oregon limited liability company, SUNCREST HOMES, LLC, an Oregon limited liability company, and Thomas W. Marr, hereinafter referred to as Declarant's, are the fee title owners respectively of the real property depicted hereon and more particularly described in the "SURVEYOR'S CERTIFICATE" herewith, have caused this tract of land to be surveyed and platted into Parcels I, 2 and 3, easements, and right of way dedication as depicted hereon, and the number of each parcel and the course and length of all lines are plainly set forth, and this plat is a correct representation of the land division. Declarant's hereby dedicate to the City of Ashland, for street purposes, that area adjacent and contiguous to Parcels 2 and 3 hereon, and noted as right of way dedication, and hereby dedicate to the City of Ashland that sanitary sewer easement within said Parcel 3, as depicted hereon.

IN WITNESS WHEREOF, I set my hand and seal this 16 day of February, 2006. Steve DeCarlow, Manager Charles Hamilton, Managing Member North Mountain Land Company, LLC Suncrest Homes, LEC STATE OF OREGON } 55 County of Jackson Personally appeared the above named Steve DeCarlow, known to me to be the Manager of NORTH MOUNTAIN LAND COMPANY, 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. februa/x WITNESS my hand and seal this 14 day of ____ LOGAN Miles NOTARY PUBLIC-OREGON 359839 COMMISSION NO .: MY COMMISSION EXPIRES: July 24, 2006 STATE OF OREGON County of Jackson Personally appeared the above named Charles Hamilton, known to me to be the Managing Member SUNCREST HOMES, 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 22 day of February Before me: Neathamen Mark Neathamer NOTARY PUBLIC-OREGON COMMISSION NO.: 374275 MY COMMISSION EXPIRES: OCT. 30# 7007 STATE OF OREGON 3 55 County of Jackson Personally appeared the above named Thomas W. Marr, known to me to, and acknowledged the foregoing instrument to be his voluntary act and deed. WITNESS my hand and seal this 24 day of tebruary Mark Neathamer Mark Ned tham er Public-OREGON COMMISSION NO.: OCt. 30 2007 MY COMMISSION EXPIRES: 374275 SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

Perform a boundary survey and prepare and process a Property Line Adjustment Application with the City of Ashland, pursuant to Client's instructions.

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: Documents Numbered 97-04295, 05-017936, and 05-069115 all of the Official Records of Jackson County, Oregon; and, Surveys numbered 5380, 7617, 12527, 16376, and 17967, all on file in the office of the Jackson County Surveyor.

Utilizing previous ties pursuant to Survey Number 16376, as performed by this firm, and Surveys Numbered 5380, and 7617, established the westerly right of way of Mountain Avenue, the northerly right of way of Nevada Street, and the westerly boundary.

Utilizing Survey Number 17967 and Document Number 03-53065, established the southerly boundary. Computed the interior Parcels and set monuments as depicted hereon. The first monument was set on December 1, 2005.

Pursuant to the authority by the Jackson County Surveyor, the found monuments noted hereon as "Destroyed During Site Construction", were not re-established on this survey.

A Property Line Adjustment, being a replat of a portion of Lot 26 of the Ashland Acres Subdivision and a replat of Parcel II of Partition Plat No. P-I-2000 of the Records of Partition Plats in Jackson County, Oregon, being located within Donation

Land Claim No. 41 in the Southwest One-quarter of the Northeast One-quarter of Section 4, Township 39, Range I East of the Willamette Meridian, in the City of south Ashland, Jackson County, Oregon.

PARTITION PLAT NO. P- 28 -2006

PREPARED FOR:

NORTH MOUNTIAN LAND CO 724 South Central Ave, Suite 103 Medford, Oregon 97501

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 a portion of Lot 26 of the Ashland Acres Subdivision and within Parcel 2 of Partition Plat No. P-I-2000 of the Records of Partition Plats in Jackson County, Oregon, being located within Donation Land Claim No. 41 in the Southwest One-quarter of the Northeast One-quarter of Section 4, Township 39 I East of the Willamette Meridian, in the City of Ashland, Jackson County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 26 of the Ashland Acres Subdivision, a plat now of record; thence along the east line thereof (also being the westerly right of way of Mountain Avenue), South $00^{\circ}03'45''$ West, 152.50 feet to the northeast corner of Parcel I of P-1-2000 of the Records of Partition Plats in Jackson County, Oregon; thence along the north line thereof, North 89°58'51" West, 103.00 feet, to the northwest corner thereof; thence along the line common to Parcels I and 2 of said plat, South $00^{\circ}03'45''$ West, II6.50 feet to the southwest corner of said Parcel I; thence South 89°58'51" East, 103.00 feet to the southeast corner of said Parcel I and a point on aforesaid westerly right of way; thence along said right of way, South $00^{\circ}03'45"$ West, 276.00 feet to a point on the north line of that tract as described in Instrument Number 95-15523 of the Official Records of Jackson County, Oregon; thence leaving said right of way and along said north line of said tract, North 89°59'08" West, 670.36 feet to the northwest corner thereof; thence along the west line thereof, South 00°02'12" East, 138.72 feet to the southeast corner of that tract as described in Instrument Number 03-53065; thence along the south line thereof, North 89°57'05" West, 665.47 feet to the southwest corner thereof; thence along the west line thereof, North 05°58'26" East, 8.28 feet to a point on the east line of that Tract II as described in Instrument Number 94-12465 of the Official Records of Jackson County, Oregon; thence along said east line, North 07°10'14" East, 680.49 feet to a point on the southerly right of way of Nevada Street; thence along said right of way, South 89°58'51" East, 685.76 feet; thence South II°01'29" East, 61.71 feet to the northwest corner of Parcel 2 of aforesaid Partition Plat No. P-1-2000; thence continuing along said sight of way, and along the northwest. Partition Plat No. P-1-2000; thence continuing along said right of way, and along the north boundary of said Parcel 2 as follows: North 78°22'58" East, 88.39 feet to an angle point thereof; thence North 71°41'24" East, 135.93 feet to the northeast corner thereof; thence South 89°58'51" East, 360.94 feet to the Point of Beginning.

Cal E. neathance

RELEASE

Liberty bank, as holders of beneficiary interest under that certain Trust Deed recorded in Instrument No. 2005-017937 of the Official Records of Jackson County, Oregon, do hereby release from lien all property depicted hereon for public use.

Signed this 2nd day of MACO, 2006.

STATE OF OREGON LIBERTY BANK County of Jackson

Personally appeared the above named **ALEX PRANCUSK!** known to me to be the **VICE President** of LIBERTY BANK, an Oregon Corporation, and acknowledged the foregoing instrument, to be his voluntary act and deed.

MARCH Before me: Circle ailes NOTARY PUBLIC-OREGON COMMISSION NO. 3832218 MY COMMISSION EXPIRES: 4.14 20, 2008

WITNESS my hand and seal this 2 day of

** RECEIVED ** DATE 3-23-06 BY 600 This survey consists of: _sheet(s) Map D page(s) Narrative JACKSON COUNTY SURVEYOR

RELEASE

Umpqua Bank, as holders of beneficiary interest under that certain Trust Deed recorded in Instrument No. 2005-069116 of the Official Records of Jackson County, Oregon, do hereby release from lien all property depicted hereon for public use.

Signed this 24 day of February

STATE OF OREGON County of Jackson

Personally appeared the above named <u>Jeff Benham</u> known to me to be the <u>St. Vice president</u> f UMPQUA BANK, an Oregon Corporation, and acknowledged the foregoing instrument, to be his voluntary act and deed.

WITNESS my hand and seal this 24 day of February

Monh Neathamer Mark Neathamer NOTARY PUBLIC-OREGON COMMISSION NO.: 374275.
MY COMMISSION EXPIRES: OCT.

APPROVALS

A PROPERTY LINE ADJUSTMENT, CITY OF ASHLAND PLANNING ACTION NO: PL-2005-02038

I certify that, pursuant to the authority granted in the City of Ashland

Municipal Code, Chapter 18.76.14, this plat is hereby approved.

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095

have been paid as of March 23

FILED FOR RECORD THIS THE 23rd DAY OF MARCH , 2006, AT 11:49 O'CLOCK AM AND RECORDED IN VOLUME 17 of plats at page 28 of the records of Jackson COUNTY, OREGON.

Kathleen S Beckett

Jackson County Surveyor's File No:

19116

an exact copy of the original. cail E. neathamn

I hereby certify that this is

Surveyor

REGISTERED **PROFESSIONAL** LAND SURVEYOR

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

Renewal Date 12/31/06

PREPARED BY: Neathamer Surveying, Inc. 3132 State St., Suite 110 Medford, Oregon 97501 Phone (541) 732-2869 FAX (541) 732-1382

PLOT DATE: February 15, 2006 PROJECT NUMBER: 03070

Sheet 1 of 2

Jackson County Assessor's Map No: 39 IE 04AC, Tax Lots 400, 401, 501, 600 & 700

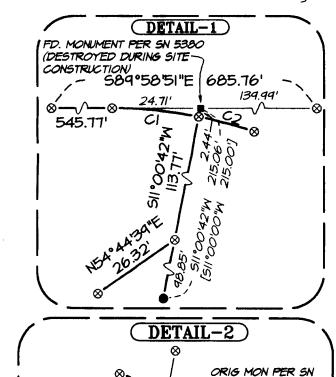
Drawing N: W51 Projects Vesta Enterprises Meadowbrook Park II/PLA-Partition Plat.pro

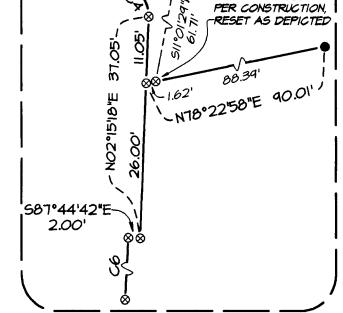
PARTITION PLAT NO. P- 28 -2006 PREPARED FOR: A Property Line Adjustment, being a replat of a portion of Lot 26 of the Ashland Acres Subdivision and a replat of Parcel II of Partition Plat No. P-I-2000 of the Records of Partition Plats in Jackson County, Oregon, being located within Donation Land Claim No. 41 in the Southwest One-quarter of the Northeast One-quarter of Section 4, Township 39, Range I East of the Willamette Meridian, in the City of South Ashland, Jackson County, Oregon. NORTH MOUNTIAN LAND CO. FD. 3" BRASS CAP,-724 South Central Ave, Suite 103 SURVEY MONUMENT Medford, Oregon 97501 T38S R1E NE DLC NW DLC SHADED AREA INDICATES RIVI DED-RLS 759 1973 ICATION (REFER TO DECLARATION) S/N 15817 FD. 5/8" IRON PIN 589°58'51"E 750.51' {WEST 150.40'} S/N 10605 30' PER SN 10605 686.40' NEVADA STREET 4.105 30, 30, N89°58'51"W 1280.55 (CENTERLINE) SET MONUMENT AT TIED POSITION SEE DETAIL-1 500°01'09"W-589°58'51"E 360.94 30, 589°58'51"E 685.76 [(EAST)] OF FD. MONUMENT PER SN 5380 30.00' 135.93 272.00' (DESTROYED DURING SITE BASIS N78°22'58"E N71°41'24"E 88.94 521.06 [140.00] * N89*58'19**"**E N89'58'19"E 271.99' N89'56'45"E 420.38 N.E. CORN 86.81 -C/L 15' WIDE SEMER EASE.PER -C/L SEWER EASE. PER DOC NO DOC NO 93-45224 (TO REMAIN) SEWER EASEMENT 93-45221 (TO BE EXTINGUISHED) PARCEL 1 **A BEARINGS:** C/L 15' WIDE SEWER-94-01703 41,725 SF 311 S60°04'07"E~ EASE. PER DOC NO -C/L 15' WIDE SEMER EASE. PER 93-45217 (TO BE 19.41 DOC NO 93-45223 (TO BE N54°44'39"E-SEE DETAIL-2 EXTINGUISHED) PARCEL 3 EXTINGUISHED) 26.32 31,221 SF ADJUSTED LINE 589°58'51"E 271.89' N89°58'51"W 589°58'51"E 177.18' 103.00 C/L 15' WIDE SEMER - ORIGINAL LINE 'Parcel 1 EASE. PER DOC NO FD. MONUMENT PER SN 12527 589°57'51"E 139.94 (P-1-2000 93-45218 (TO BE (DESTROYED DURING SITE 46376 EXTINGUISHED) [EAST 140.00'] CONSTRUCTION) 8/11 5380 589°58'51"E SET 038-CALIBER SHELL WITH ADJUSTED LINE-125.96; LEAD TACK & BRASS WASHER 103.00 "NEATHAMER LS 56545" (PARCEL 2) 5310.28 (P-1-2000) N24°56'08"E-54.71 BASIS OF BEARINGS: EAST LINE TRACT II DOC NO 94-12465 PARCEL 2 Geodetic North along the east boundary of Donation Land 695,501 SF Claim No. 41, based on Global Positioning Observations, and as listed on SN 16736, as performed by this firm. SET MONUMENT AT TIED-POSITION OF FD. MON-C/L 15' WIDE SEWER EASE. PER DOC NUE UMENT PER SN 5380 NO 93-45218 (TO BE EXTINGUISHED) (DESTROYED DURING FD. 5/8" IRON PIN & CAP MARKED "L.J-SITE CONSTRUCTION) FRIAR & ASSOC" PER SN 17967 -N89°59'08"W 360.39 FD. 3/4" IRON PIPE SCALE 1" = 80'N89°59'08"W 670.36' C/L 15' WIDE SEMER-{N89°58'49"W 670.55'} ---(DESTROYED DURING N89*59'08"W 360.39' m S14°33'31"E 30, 1 EASE. PER DOC NO SITE CONSTRUCTION N00°01'07"E 16.00' 93-45223 (TO BE STREET DEDICATION PER DOC NO 03-72817 **!** 40.78' -2.42' EXTINGUISHED) N51°31'25"W-QUINN SUBDIVISION SN 17967 2 LOT 14 5.61' -SOUTH LINE DOC LOTT NO 95-15523 LOT 1 LOT 4 LOTS ĺ LOT 2 LOT 5 SOUTHEAST CORNER DONATION-LOT 9 LAND CLAIM NUMBER 41. USED INTERSECTION OF FOUR PUNCH NO5°58'26"E SANITARY SEWER MANHOLE. SOUTH LINE DOC-FD. 3/4" IRON PIPE (DESTROYEDщ 8.28' DURING SITE CONSTRUCTION NO 03-53065 I hereby certify that this is an exact copy of the original. CURVE TABLE N45°31'45"W 5.52 N89°57'05"W 665.47 Carl E. Reathour Surveyor NOTES: The tracts of land as described in the "Surveyor's Certificate" are subject to the following matters of record pursuant to the received title report: Subject to water and irrigation rights, easements for ditches and canals, and all regulations of the Talent Irrigation District. An overhang easement granted to the California Oregon Power Company, their heirs and assigns, pursuant to Volume 492, Page 435 of the Deed Records of

CURVE	RADIUS	DELTA	ARC	CHORD BEARING	CHORD
CI	124.00'	II°16'25"	24.40'	584°20'38"E	24.36'
C2	124.00'	18°11'50"	39.38'	569°36'30"E	39.22'
C3	236.00'	22° 4' "	91.59'	571°37'41"E	91.02'
C4	5.00'	85°00'04"	7.42'	540°14'44"E	6.76'
C5	52.00'	49°33'08"	44.97'	510°28'47"E	43.58'
C6	343.00'	22°40'50"	135.781	NI3°35'43"E	134.89'
C7	514.00'	10°18'24"	92.461	505°10'28"W	92.341
C8	256.00'	22°14′11"	91,591	570°16'50"E	91.02'
C9	104.00'	18°08'36"	32.92'	569°34'53"E	32.80'

LEGEND:

- Indicates a set 5/8 inch diameter iron pin, 30 inches long, with an orange plastic cap marked "C NEATHAMER LS 56545".
- Indicates a found 5/8 inch diameter iron pin with plastic cap marked "D. McMahan LS'1913" per SN 12527; or, as noted hereon.
- Indicates a found 5/8 inch diameter iron pin with plastic cap marked "NEATHAMER PLS 56545", per 5N 16736.
- Indicates a found monument, as noted hereon
- Indicates a computed position, nothing found
- () Indicates record information as per SN 5380
- Indicates record information as per SN 7617.
- Indicates record information as per SN 17967
- Indicates a survey filed by number in the office of the Jackson County Surveyor.
- DOC NO Indicates a recorded document number of the Official Records of Jackson County, Oregon.
 - Indicates a public sanitary sewer easement being created hereon.
 - Indicates the number of square feet within a closed area such as a parcel or tract.
 - Indicates centerline of 15 foot wide easement per Doc. No. 94-10468 (to be extingushed in the future).
 - Indicates the distance and which side from the boundary line that the centerline of fence line is.
 - Indicates the centerline of an existing fence





** RECEIVED ** DATE **3-23-06**BY This survey consists of: __sheet(s) Map

O page(s) Narrative/

JACKSON COUNTY

SURVEYOR

Coul E. newthorn

OREGON JULY 09, 2001 CAEL E. NEATHAMER 56545 Renewal Date 12/31/06

REGISTERED

PROFESSIONAL

LAND SURVEYOR

PREPARED BY: Neathamer Surveying, Inc. 3132 State St., Suite 110 Medford, Oregon 97501 Phone (541) 732-2869 FAX (541) 732-1382

PLOT DATE: February 15, 2006 PROJECT NUMBER: 03070

Sheet 2 of 2 © CEN

16376 DAMAGED

A fence encroachment as depicted on Survey Number 5380, as filed in the office of the Jackson County Surveyor, no longer exists.

Encroachments of structures as depicted on Survey Number 16376, as filed in the office of the Jackson County Surveyor, is being rectified by this adjustment and plat.

The 10 foot wide Utility Easement and additional Sanitary Sewer Easement along the northerly and westerly boundaries of Parcel 2 of Partition Plat No. P-1-2000 of the Records of Partition Plats in Jackson County, Oregon (also filed as Survey Number 16376), are being extinguished by this re-plat of said Parcel 2.

Jackson County, Oregon. Said easement is blanket in nature, to be along existing utility poles and aerial line(s). Of which, all existing poles and aerial line(s)

Restriction for the cost of erecting a building, pursuant to Volume 355, Page 146 of the Deed Records of Jackson County, Oregon, expired in 1971, and is no

Jackson County Assessor's Map No: 39 IE O4AC, Tax Lots 400, 401, 501, 600 & 700

longer valid.

contiquous to or within the bounds of said tracts, are currently being removed.

Drawing N: WSI Projects\Vesta Enterprises\Meadowbrook Park II\PLA-Partition Plat.pro