

# PARTITION PLAT NO. P-79-2006

A Re-plat of Lot 2 of Modoc Subdivision Phase I, Located in the Northwest One-quarter of Section 12 and the Southwest One-quarter of Section 1, Township 37 South, Range 2 West, Willamette Meridian, City of Central Point, Jackson County, Oregon.

## PREPARED FOR:

Gazelle Investments, LLC  
Jerry Eller  
520 Coachman Drive  
Jacksonville, OR 97530

### DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that Gazelle Investments, a Partnership hereinafter referred to as the 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 parcels, being a re-plat of Lot 2 of Modoc Subdivision Phase I, filed for record the 12th day of July 2005, and recorded in Volume 31 of Plats at Page 33 of the Records of Jackson County, Oregon, and filed as Survey Number 18795, in the office of the Jackson County Surveyor, and the number of each parcel, creation of easement(s), and the course and length of all lines are plainly set forth, and that this plat is a correct representation of the land division. Further, Declarant hereby dedicates to the City of Central Point, for public use, all streets, public utility easements and waterline easements shown hereon.

IN WITNESS WHEREOF, I set my hand and seal this 8 day of

August, 2006.  
Jerry Eller  
Jerry Eller  
Gazelle Investments, LLC

STATE OF OREGON }  
County of Jackson } SS

Personally appeared the above named Jerry Eller, known to me to be a member of Gazelle Investments, a Partnership, 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 8<sup>th</sup> day of August, 2006.

Before me:  
Mark Neathamer  
Mark Neathamer NOTARY PUBLIC-OREGON  
COMMISSION NO.: 374275  
MY COMMISSION EXPIRES: Oct. 30<sup>th</sup> 2007

### NOTES:

This Partition Plat is subject to the following matters of record:

- 1) The hereon described property has been excluded from the boundaries of the Rogue River Irrigation District by instrument recorded as No. 05-043429 of the Official Records of Jackson County, Oregon; however, as set forth therein, the property remains "subject to the liens of the United States by reason of monies advanced by the United States of America through its Department of Interior in connection with the construction and maintenance of its water and irrigation system".
- 2) Easements for the transmission and distribution of electricity in favor of PacifiCorp, or its predecessor or successor in interest recorded Documents Numbered: Volume 233, Page 134, Volume 349, Page 103, Volume 471, Page 179 and Volume 522, Page 141 all of the Deed Records of Jackson County, Oregon. Exact location is not given.
- 3) An agreement, including the terms and provisions thereof recorded September 23, 1963 as Volume 553, Page 345 of the Deed Records of Jackson County, Oregon.
- 4) Development Agreement (Modoc Orchards, Phase I), subject to the terms and provisions thereof, by and between the City of Central Point, Oregon an Oregon municipal corporation, and Blue Line, Inc., and Gazelle Investments, a Partnership, recorded July 20, 2005, as No. 05-043081, Official Records.

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

Log Miles  
Surveyor

### SURVEYOR'S CERTIFICATE

I, Logan Miles, 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 Northwest One-quarter of Section 12 and the Southwest One-quarter of Section 1, Township 37 South, Range 2 West, Willamette Meridian, Jackson County, Oregon, more particularly described as follows:

Lot 2 of Modoc Subdivision Phase I, filed for record the 12th day of July 2005, and recorded in Volume 31 of Plats at Page 33 of the Records of Jackson County, Oregon, and filed as Survey Number 18795, in the office of the Jackson County Surveyor.

Log Miles  
Surveyor

### RELEASE

U.S. Bank N. A., as the holder of beneficiary interest under that certain Trust Deed dated and recorded as Instrument Number 05-055278 of the Official Records of Jackson County, Oregon, do hereby release from lien of said Trust Deed all property shown hereon as dedicated to public use.

Signed this 8<sup>th</sup> day of August, 2006.

Richard D. Clark  
Richard D. Clark, Member  
U.S. BANK TRUST COMPANY

STATE OF OREGON }  
County of Jackson } SS

Personally appeared the above named Richard D. Clark, known to me to be the Vice President of U.S. Bank N. A., who hereby acknowledged the foregoing instrument, to be their voluntary act and deed.

WITNESS my hand and seal this 8<sup>th</sup> day of August, 2006.

Before me:  
Mark Neathamer  
Mark Neathamer NOTARY PUBLIC-OREGON  
COMMISSION NO.: 374275  
MY COMMISSION EXPIRES: Oct. 30<sup>th</sup> 2007

### RELEASE

U.S. Bank N. A., as the holder of beneficiary interest under that certain Trust Deed dated and recorded as Instrument Number 06-023978 of the Official Records of Jackson County, Oregon, do hereby release from lien of said Trust Deed all property shown hereon as dedicated to public use.

Signed this 8<sup>th</sup> day of August, 2006.

Richard D. Clark  
Richard D. Clark, Member  
U.S. BANK TRUST COMPANY

STATE OF OREGON }  
County of Jackson } SS

Personally appeared the above named Richard D. Clark, known to me to be the Vice President of U.S. Bank N. A., who hereby acknowledged the foregoing instrument, to be their voluntary act and deed.

WITNESS my hand and seal this 8<sup>th</sup> day of August, 2006.

Before me:  
Mark Neathamer  
Mark Neathamer NOTARY PUBLIC-OREGON  
COMMISSION NO.: 374275  
MY COMMISSION EXPIRES: Oct. 30<sup>th</sup> 2007

### SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

**Purpose:** Perform a boundary survey, prepare and file a Partition Plat pursuant to client's instructions and the Tentative Plan conditionally approved by the City of Central Point, Oregon, Planning Commission.

**Procedure:** Utilizing Trimble 5700 Global Positioning System equipment, and a Nikon DTM-520 with a Ranger 200R with TD5 software, all found monuments were tied in a closed loop traverse or by redundant ties.

Records utilized for this survey: Documents Numbered 95-04440, 00-50801, and 05-43081 of the Official Records of Jackson County, Oregon; Surveys Numbered 14401, 18447, and Modoc Subdivision, Phase I, now of record and filed as Survey Number 18795 on file in the office of the Jackson County Surveyor.

Utilizing said record documents and maps, established the exterior boundary utilizing monuments found and set by this office from Survey 18795, the interior lots and street were computed and monumented as depicted hereon.

### 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.

[Signature] 8-11-06  
Planning Director Date

[Signature] 8-11-06  
Public Works Director Date

Examined and approved this 10<sup>th</sup> day of August, 2006

[Signature] 19301  
Jackson County Surveyor County Surveyor File No.

### TAX STATEMENT APPROVAL:

ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES AS REQUIRED BY O.R.S. 42.045 HAVE BEEN PAID AS OF August 22, 2006.

Amanda Kirkpatrick, deputy Carol Juwerson, Deputy 8/22/06  
Assessor 8/22/06 Date Tax Collector Date

### RECORDING

FILED FOR RECORD THIS THE 22 DAY OF AUGUST, 2006 AT 11:16 O'CLOCK AM AND RECORDED IN VOLUME 17 OF PLATS AT PAGE 79 OF THE RECORDS OF JACKSON COUNTY, OREGON.

Kathleen S Beckett Barbara J Shaw  
County Clerk Deputy

REGISTERED PROFESSIONAL LAND SURVEYOR

Log Miles  
OREGON  
JULY 12, 2005  
LOGAN MILES  
65452

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

PROJECT NUMBER: 05056 DATE: August 7, 2006

Sheet 1 of 2 DC LTM

# PARTITION PLAT NO. P-79-2006

A Re-plat of Lot 2 of Modoc Subdivision Phase 1, Located in the Northwest One-quarter of Section 12 and the Southwest One-quarter of Section 1, Township 37 South, Range 2 West, Willamette Meridian, City of Central Point, Jackson County, Oregon.

PREPARED FOR:  
**Gazelle Investments, LLC**  
 Jerry Eller  
 520 Coachman Drive  
 Jacksonville, OR 97530

37 2W 02D  
 TAX LOT 2000  
 LTM INCORPORATED

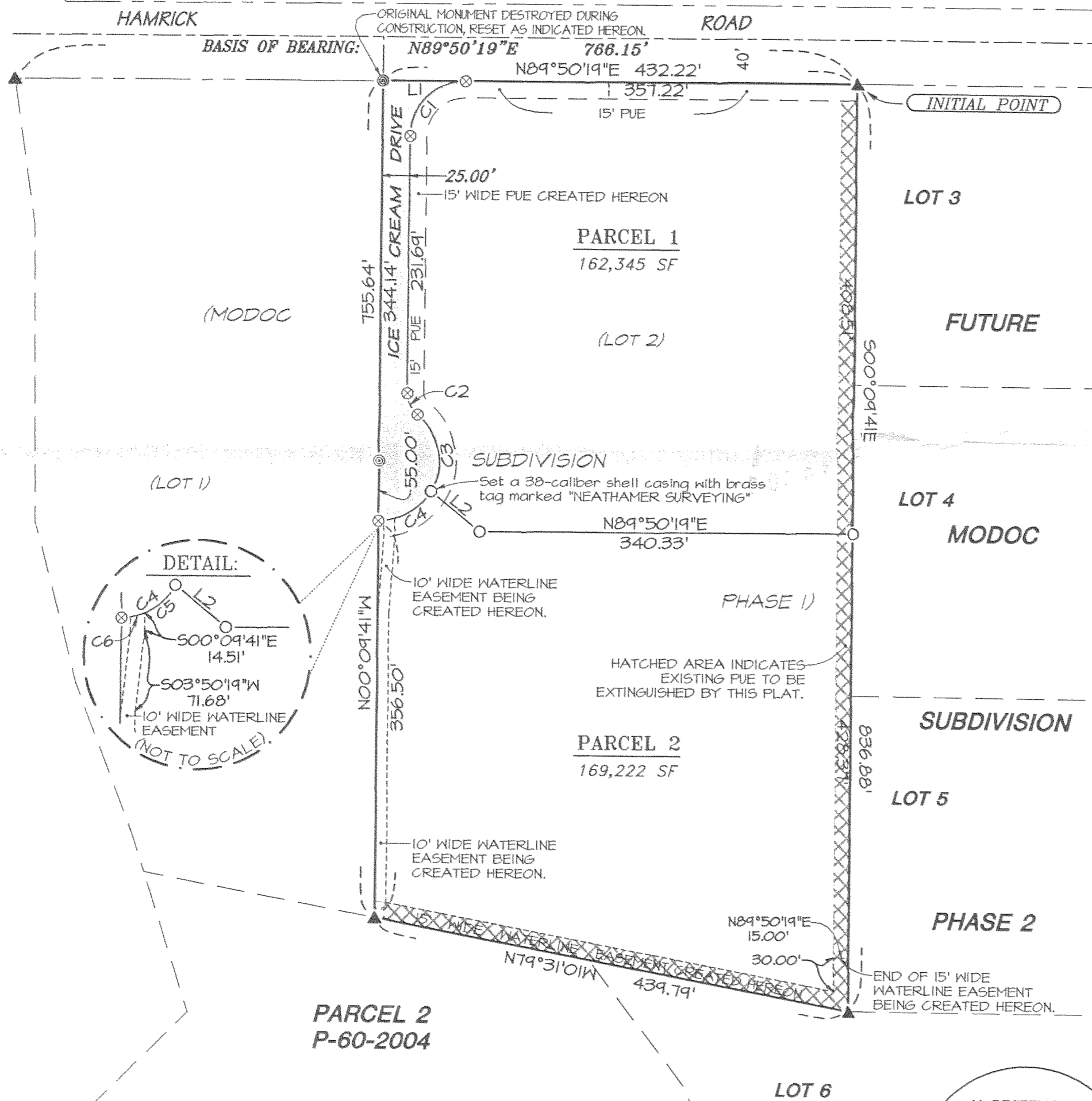
37 2W 1C  
 TAX LOT 800  
 USF REDDAWAY INC

LINE TABLE

LINE #	BEARING	DISTANCE
L1	N89°50'19"E	75.00'
L2	S50°49'30"E	57.52'

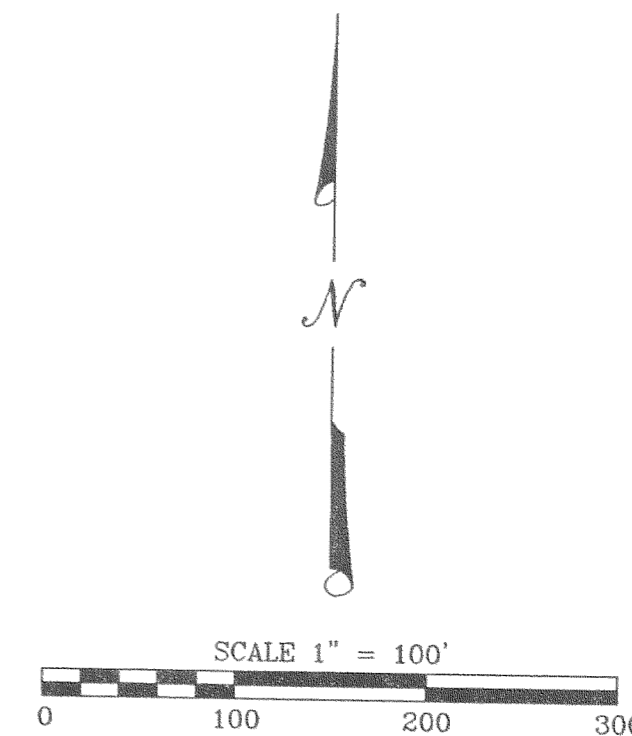
CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°00'00"	50.00'	78.54'	N45°09'41"E	70.71'
C2	51°19'04"	25.00'	22.34'	N25°49'13"W	21.65'
C3	81°48'24"	55.00'	78.53'	N10°34'33"W	72.03'
C4	54°30'41"	55.00'	57.13'	N60°04'54"E	54.54'
C5	43°41'05"	55.00'	41.43'	S52°01'01"W	40.93'
C6	10°36'34"	55.00'	10.14'	S79°19'02"W	10.17'



LEGEND

- Indicates a set 5/8-inch diameter iron pin, 24 inches in length, with a orange plastic cap marked "NEATHAMER SURVEYING", top set flush with the surface, unless noted hereon.
- ⊗ Indicates a set 5/8-inch diameter iron pin, 30 inches in length, with a orange plastic cap marked "NEATHAMER SURVEYING", top set flush with the surface.
- ⊙ Indicates a set 5/8-inch diameter by 30-inch long iron pin with an aluminum cap marked "NEATHAMER SURVEYING".
- ▲ Indicates a found 5/8-inch diameter iron pin with a orange plastic cap marked "NEATHAMER LS 56545", refer to SN 18795.
- Indicates a found 5/8-inch diameter iron pin with a red plastic cap marked "M. BOYDEN RLS 281", refer to SN 14401, unless otherwise noted hereon.
- Indicates a computed position, nothing found or set, refer to SN 18795.
- SN Indicates a survey filed number in the office of the Jackson County Surveyor.
- FUE Indicates Public Utility Easement.
- Doc. No. Indicates an instrument recorded by number of the Official Records of Jackson County, Oregon.
- Vol. Pg. Indicates an instrument recorded Volume and Page of the Deed Records of Jackson County, Oregon.



I hereby certify that this is an exact copy of the original.  
*Log Miles*  
 Surveyor

REGISTERED PROFESSIONAL LAND SURVEYOR

*Log Miles*  
 OREGON  
 JULY 12, 2005  
 LOGAN MILES  
 65452

Renewal Date 12/31/06

**BASIS OF BEARINGS:**

Southerly Right of Way of Hamrick Road, per Modoc Subdivision, Phase 1 and filed as Survey Number 18795 in the office of the Jackson County Surveyor, as depicted hereon.

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

PROJECT NUMBER: 05056 DATE: August 7, 2006

**\*\* RECEIVED \*\***  
 DATE 8-22-06 BY AB  
 This survey consists of:  
2 sheet(s) Map  
0 page(s) Narrative  
 JACKSON COUNTY SURVEYOR