

**ALTA/ACSM LAND TITLE SURVEY**

I, Carl E. Neathamer, a registered land surveyor, License Number LS 56545, in and for the State of Oregon and legally doing business in Jackson County, Oregon, do hereby certify, to the best of my professional knowledge, information and belief, to Thomas E. Ross and Susan A. Ross, husband and wife, 340 Cabbage Lane, Phoenix, Oregon 97535, and their respective successors and assigns:

- (1) the accompanying survey, ALTA/ACSM Land Title Survey of the property located at 340 Cabbage Lane, Phoenix, Oregon 97535, commonly known as Jackson County Assessor's Map No. 38 IW 150, Tax Lot 1800, hereinafter referred to as Survey, represents a true and correct survey made by me or under my direction on March 28 and 29, April 3 and 17, and June 29, 2006, of the land therein particularly described;
- (2) the Survey and the Information, courses and distances shown thereon are correct;
- (3) the title lines and lines of actual possession are the same;
- (4) the land described in the Survey is the same as described in the title insurance commitment described below;
- (5) the area of the subject property and the size, location and type of buildings and improvements and any other matters situated on the subject property as shown and all buildings and improvements are within the boundary lines and applicable setback lines of the property;
- (6) there are no violations of zoning ordinances, restrictions or other rules and regulations with reference to the location of said buildings and improvements, except as shown on the Survey;
- (7) there are no easements or uses affecting this property appearing from a careful physical inspection of the same, or other than those shown and depicted on the Survey;

- (8) there are no encroachments on the adjoining properties, streets, or alleys by any of said buildings, structures and improvements, other than as shown on the Survey;
- (9) there are no party walls or visible encroachments on said described property by streets, alleys or buildings, structures or other improvements situated on adjoining property, except as shown on the Survey;
- (10) all utility services required for the operation of the premises either enter the premises through adjoining public streets, or the Survey shows the point of entry and location of any utilities that pass through or are located on adjoining land;
- (11) the Survey shows the location and direction of all visible storm drainage systems for the collection and disposal of all roof and surface drainage, except as shown on the Survey;
- (12) any discharge into streams, rivers or other conveyance system is shown on the Survey, except as noted on said survey;
- (13) the subject property has access to and from the Rogue Valley Highway (Highway 99), a duly dedicated and accepted public road;
- (14) except as shown on the Survey, the subject property does not serve any adjoining property for drainage, utilities, or ingress or egress;
- (15) the record description of the subject property forms a mathematically closed figure.

(16) the subject tract herein is located within Flood Zone B pursuant to Flood Insurance Rate Map (FIRM) Community Panel No. 415584 0419 B, with effective date of April 1, 1982.

The undersigned has received and examined a copy of the title report as prepared by AmeriTitle, 1501 East McAndrews Road, Medford, Oregon 97504, Title Order Number 0757028, and the location of any matter shown thereon, to the extent it can be located, has been shown on this Survey with the appropriate recording reference.

The parties listed above are entitled to rely on the Survey and this certificate as being true and accurate.

This Survey is made in accordance with the 2005 "Minimum Standard Detail Requirements for Land Surveys" jointly established by American Land Title Association ("ALTA") and American Congress on Surveying and Mapping ("ACSM") and meets the requirements of an Urban Survey, as defined in the current accuracy standards jointly adopted by ALTA and ACSM and includes items 3, 4, 5, 6, 7(a), 8, 9, 10, and 11(b) of "TABLE A, OPTIONAL SURVEY RESPONSIBILITIES AND SPECIFICATIONS" thereof.

By: Carl E. Neathamer Dated: JANUARY 29, 2007  
 Carl E. Neathamer, PLS 56545

**LEGAL DESCRIPTION**

All that real property as described in Instrument Number 2003-037468 of the Official Records of Jackson County, Oregon, being located within Donation Land Claim No. 43, in the Southeast One-quarter of Section 15, Township 38 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon. The exterior boundary of which is more particularly described as follows:

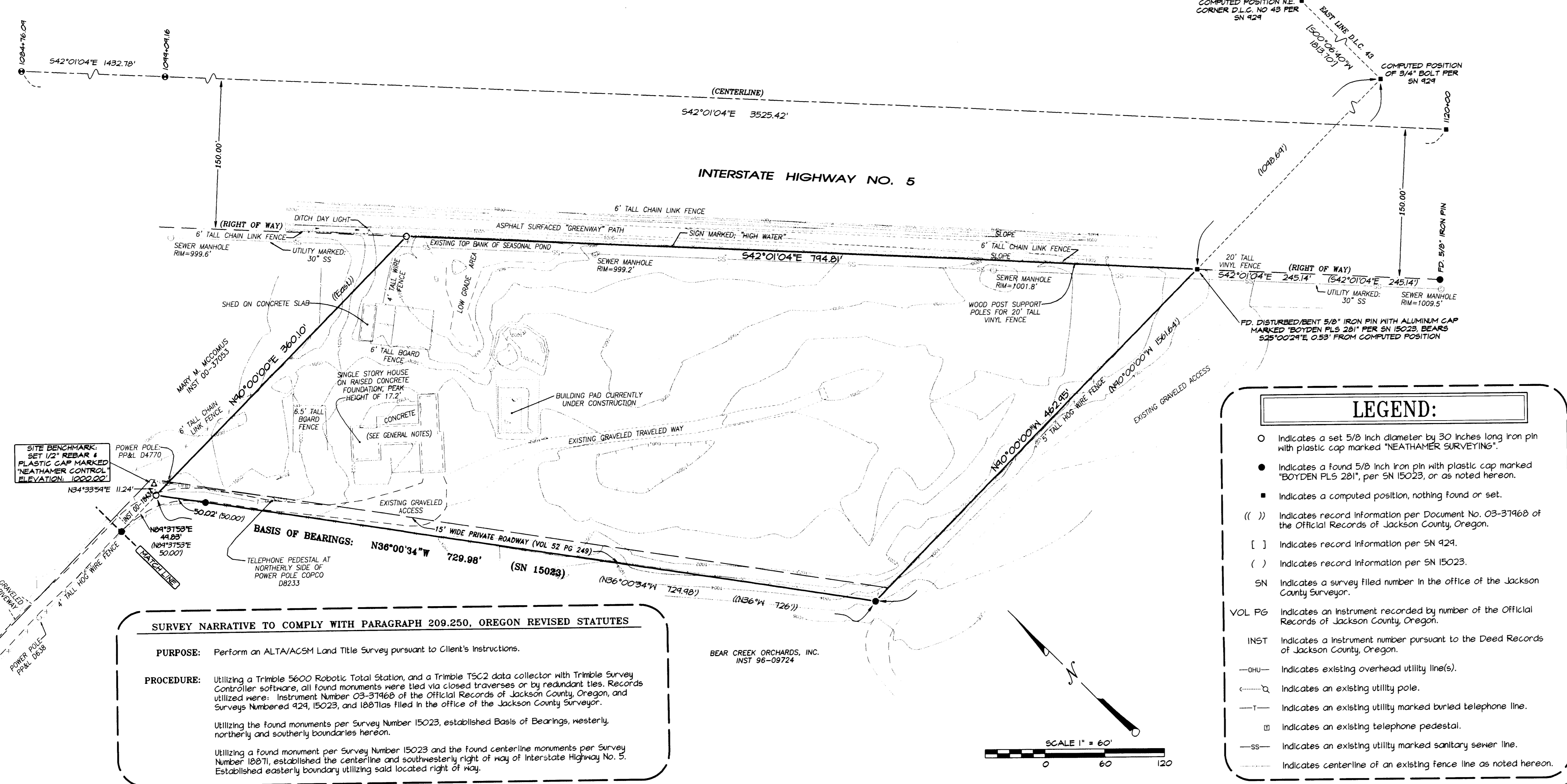
Beginning at a point South 00°06'40" West, 1813.70 feet and West 1098.64 feet from the Northeast corner of Donation Land Claim No. 43, being a point on the southwesterly right of way of Interstate Highway No. 5, and the southeast corner of that tract as described in aforesaid Instrument Number 2003-037468; thence along the south boundary of said tract West, 462.45 feet to the southwest corner thereof; thence along the west boundary of said tract North 36°00'34" West, 729.98 feet (Record: North 36° West 11.00 chains); thence East, 360.10 feet, to a point on aforesaid southwesterly right of way of Interstate Highway No. 5; thence along said right of way, South 42°01'04" East, 794.81 feet to the Point of Beginning.

REGISTERED PROFESSIONAL LAND SURVEYOR

Carl E. Neathamer  
 OREGON  
 JULY 9, 2001  
 CAEL E. NEATHAMER  
 56545  
 Renewal Date 12/31/08

PREPARED BY:  
 Neathamer Surveying, Inc.  
 3132 State St, Suite 110  
 PO Box 1584  
 Phone (541) 732-2869  
 FAX (541) 732-1382

DATE: January 29, 2007  
 PROJECT NUMBER: 06003  
 Sheet 1 of 1



**LEGEND:**

- Indicates a set 5/8 inch diameter by 30 inches long iron pin with plastic cap marked "NEATHAMER SURVEYING".
- Indicates a found 5/8 inch iron pin with plastic cap marked "BOYDEN PLS 201", per SN 15023, or as noted hereon.
- Indicates a computed position, nothing found or set.
- (( )) Indicates record information per Document No. 03-37468 of the Official Records of Jackson County, Oregon.
- [ ] Indicates record information per SN 424.
- ( ) Indicates record information per SN 15023.
- SN Indicates a survey filed number in the office of the Jackson County Surveyor.
- VOL PG Indicates an instrument recorded by number of the Official Records of Jackson County, Oregon.
- INST Indicates an instrument pursuant to the Deed Records of Jackson County, Oregon.
- OH— Indicates existing overhead utility line(s).
- T— Indicates an existing utility pole.
- Indicates an existing utility marked buried telephone line.
- Indicates an existing telephone pedestal.
- SS— Indicates an existing utility marked sanitary sewer line.
- Indicates centerline of an existing fence line as noted hereon.

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

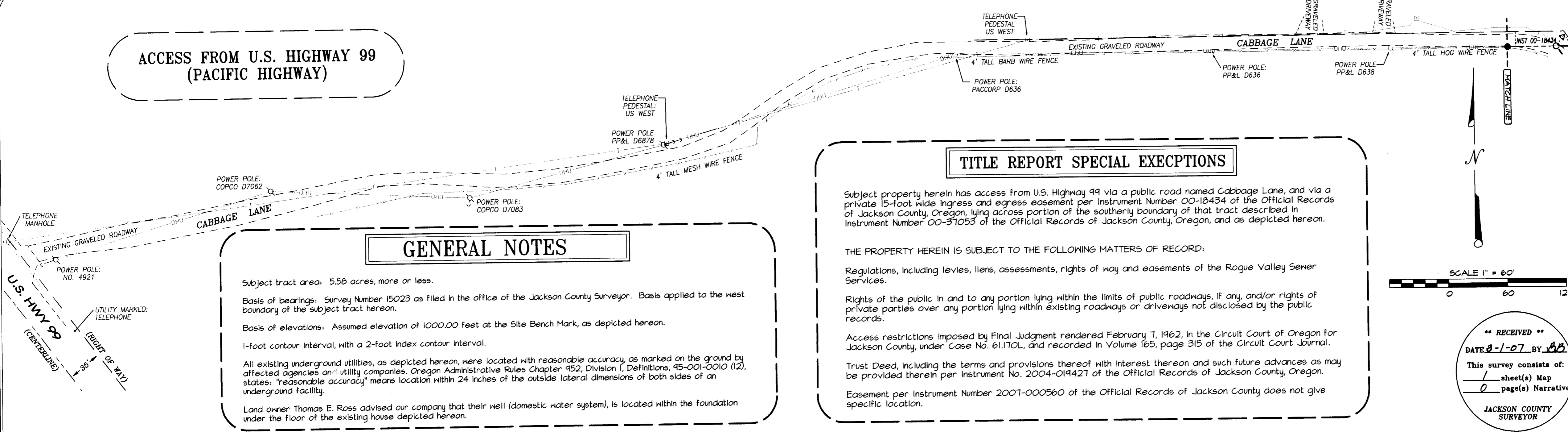
**PURPOSE:** Perform an ALTA/ACSM Land Title Survey pursuant to Client's instructions.

**PROCEDURE:** Utilizing a Trimble 5600 Robotic Total Station, and a Trimble TSC2 data collector with Trimble Survey Controller software, all found monuments were tied via closed traverses or by redundant ties. Records utilized were: Instrument Number 03-37468 of the Official Records of Jackson County, Oregon, and Surveys Numbered 424, 15023, and 10871 as filed in the office of the Jackson County Surveyor.

Utilizing the found monuments per Survey Number 15023, established Basis of Bearings, westerly, northerly and southerly boundaries hereon.

Utilizing a found monument per Survey Number 15023 and the found centerline monuments per Survey Number 10871, established the centerline and southwesterly right of way of Interstate Highway No. 5. Established easterly boundary utilizing said located right of way.

**ACCESS FROM U.S. HIGHWAY 99 (PACIFIC HIGHWAY)**



**TITLE REPORT SPECIAL EXECPTIONS**

Subject property herein has access from U.S. Highway 99 via a public road named Cabbage Lane, and via a private 15-foot wide ingress and egress easement per Instrument Number 00-18434 of the Official Records of Jackson County, Oregon, lying across portion of the southerly boundary of that tract described in Instrument Number 00-37053 of the Official Records of Jackson County, Oregon, and as depicted hereon.

THE PROPERTY HEREIN IS SUBJECT TO THE FOLLOWING MATTERS OF RECORD:

Regulations, including levies, liens, assessments, rights of way and easements of the Rogue Valley Sewer Services.

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.

Access restrictions imposed by Final Judgment rendered February 7, 1962, in the Circuit Court of Oregon for Jackson County, under Case No. 61,170L, and recorded in Volume 165, page 315 of the Circuit Court Journal.

Trust Deed, including the terms and provisions thereof with interest thereon and such future advances as may be provided therein per Instrument No. 2004-019427 of the Official Records of Jackson County, Oregon.

Easement per Instrument Number 2007-000560 of the Official Records of Jackson County does not give specific location.

**GENERAL NOTES**

Subject tract area: 5.58 acres, more or less.

Basis of bearings: Survey Number 15023 as filed in the office of the Jackson County Surveyor. Basis applied to the west boundary of the subject tract hereon.

Basis of elevations: Assumed elevation of 1000.00 feet at the Site Bench Mark, as depicted hereon.

1-foot contour interval, with a 2-foot index contour interval.

All existing underground utilities, as depicted hereon, were located with reasonable accuracy, as marked on the ground by affected agencies and utility companies. Oregon Administrative Rules Chapter 452, Division 1, Definitions, 45-001-0010 (12), states: "reasonable accuracy" means location within 24 inches of the outside lateral dimensions of both sides of an underground facility.

Land owner Thomas E. Ross advised our company that their well (domestic water system), is located within the foundation under the floor of the existing house depicted hereon.