

# WESTWIND ESTATES

A subdivision being a replat of Lot 7, in Block 4 of THE NICKELL ADDITION, located in the Northeast One-quarter of Section 35, Township 37 South, Range 2 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

## PREPARED FOR:

PACTREND INC.  
1014 N. Riverside Ave.  
Medford, Oregon 97501

## DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, PacTrend, Inc., an Oregon Corporation, and DRM CONSTRUCTION, LLC, an Oregon Limited Liability Company, hereinafter referred to as Declarants, are the fee title owners of the real property depicted hereon and more particularly described in the "SURVEYOR'S CERTIFICATE" herewith, and do hereby dedicate to the City of Medford for public use, all streets, and public utility easements, including an additional 150 feet right-of-way dedication for Cherry Street, as depicted hereon. Further, Declarants hereby dedicate to the City of Medford a 30-foot wide easement for access and maintenance over and along Elk Creek, as depicted hereon, and 10-foot wide Storm Drain easements as depicted hereon. Further, Declarants hereby create a 6-foot wide private storm drain easement over, across, under and through Lot 3 for the use and benefit of Lots 2 and 3 as depicted hereon. Further, Declarants hereby create a 10-foot wide irrigation easement over, across, under and through Lots 13-17 inclusive, for the use and benefit of the Medford Irrigation District, as depicted hereon. Declarants also create an 11-foot wide wetland easement over, across, under and through Lot 10 for the use and benefit of Lot 11, being common area, as shown hereon. Declarants also create an 11-foot wide Wetland Easement over, across, under and through Lot 20, for the use and benefit of Lot 19, being common area as shown here on. Declarants also create a wetland easement over, across, under and through Lot 12, for the use and benefit of Lot 11, being common area as shown hereon. Further, Declarants convey in fee simple, to the City of Medford, those areas portrayed and designated hereon as a one-foot street plug. By the approval of this plat, the City of Medford declares that upon dedication of the extension of the affected streets, it hereby dedicates the street plugs for public street purposes. All declarations herein shall be subject to the provisions and Bylaws of the WESTWIND ESTATES Homeowners Association, as contained in Document Number 07-12456, recorded 3-14-2007, of the Official Records of Jackson County, Oregon. WESTWIND ESTATES is also subject to the Declaration of COVENANTS, CONDITIONS AND RESTRICTIONS(CCR's) as set forth in Document Number 07-12457, recorded 3-14-2007, of the Official Records of Jackson County, Oregon, and the Supplemental Declaration of COVENANTS, CONDITIONS AND RESTRICTIONS(CCR's) as set forth in Document Number 07-12458, recorded 3-14-2007, of the Official Records of Jackson County, Oregon.

Declarants have caused this tract of land to be surveyed and platted into lots, common areas, streets and public utility easements, as shown hereon, and the number of each lot and the course and length of all lines are plainly set forth hereon and this plat is a correct representation of the subdivision. Declarants hereby designate this subdivision as WESTWIND ESTATES.

IN WITNESS WHEREOF, signed this 7<sup>th</sup> day of March, 2007.

Dan Mahar  
Dan Mahar, Secretary  
PACTREND, INC.

IN WITNESS WHEREOF, signed this 7<sup>th</sup> day of March, 2007.

Dan Mahar  
Dan Mahar, Registered Agent  
DRM CONSTRUCTION, LLC.

STATE OF OREGON }  
County of Jackson } SS

Personally appeared the above named Dan Mahar, known to me as Secretary of PACTREND, INC., an Oregon Corporation, and by authority of its bylaws or by resolution of its board of directors, acknowledged the foregoing instrument, pursuant to the authority of its corporate bylaws, to be his voluntary act and deed.

WITNESS my hand and seal this 7<sup>th</sup> day of March, 2007.

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

STATE OF OREGON }  
County of Jackson } SS

Personally appeared the above named Dan Mahar, known to me as Registered Agent of DRM CONSTRUCTION, LLC., acknowledged the foregoing instrument, pursuant to the authority of its corporate bylaws, to be his voluntary act and deed.

WITNESS my hand and seal this 7<sup>th</sup> day of March, 2007.

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

## 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 located within the Northeast One-quarter of Section 35, Township 37 South, Range 2 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, being more particularly described as follows:

Lot Seven (7) in Block Four (4) of NICKELL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record.

Logan Miles  
Surveyor

## NARRATIVE:

**PURPOSE:** To survey and monument Client's property pursuant to the conditionally approved Tentative Subdivision Plat, File Number LDS-04-18, as approved by the City of Medford Planning Commission on March 23, 2004.

**PROCEDURE:** Utilizing a Trimble 5600 Total Station and a Trimble 5700 Global Positioning System (GPS) unit with TSC2 Data Collectors with Trimble software, all found monuments were tied within closed loop traverses or via redundant ties. Records utilized for this survey: Document Number 03-87176, of the Official Records of Jackson County, Oregon; Surveys Numbered 318, 11189, 13563, 13610, and 18074, as filed in the office of the Jackson County Surveyor, and the NICKELL ADDITION to the City of Medford, Jackson County, Oregon, according to the official plat thereof, now of record.

Utilizing said record documents and maps, the centerline of Cherry Street was determined utilizing found monuments at the intersection of Stewart Avenue and Cherry Lane, the intersection of Tanglewood Lane and Cherry Lane, the intersection of Key Drive and Cherry Lane, and a found railroad spike per SN 13563, the centerline of Stewart Avenue was determined utilizing found monuments at the intersection of Stewart Avenue and Cherry Lane and the southeast corner of DLC No.77. Record widths were utilized to establish the rights of way for Cherry Lane and Stewart Avenue. The most westerly line of Block 4 of THE NICKELL ADDITION was determined utilizing found monuments at the southeast corner of DLC No.77 and the north-east corner of DLC No.77, the north line of Lot 3, Block 4 of THE NICKELL ADDITION was determined utilizing found monuments at the northeast corner of DLC No.77 and the southeast corner of DLC No.76 and record distance to the right of way of Cherry Lane per SN 11189. From the resulting exterior dimensions of Lots 3 to 10 of Block 4 of THE NICKELL ADDITION, the north and south lines of Lot 7 were determined by direct proportion between record and measured distances.

Utilizing said Document Number 03-87176, the established rights of way, and the north and south boundaries determined by proportionate measure, the exterior boundary, interior lots and streets were computed and monumented as depicted hereon. The first monument was set on September 13, 2006.

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

Logan Miles  
Surveyor

## SHEET INDEX:

- SHEET 1: TITLE PAGE
- SHEET 2: PLAT SHEET
- SHEET 3: LEGEND, DETAILS AND TABLES

RECEIVED  
DATE 3-14-07 BY CC  
This survey consists of:  
3 sheet(s) Map  
8 page(s) Narrative  
JACKSON COUNTY SURVEYOR

## NOTES:

The hereon described property is subject to the following matters of record and land use restrictions:

The effect of said property, or any part thereof, lying within the Medford Irrigation District, and subject to all water and irrigation rights, easements for ditches and canals, and all regulations of said District, including any and all assessments, liens and charges assessed, and to be assessed.

The premises herein described are within and subject to the statutory powers, including the power of assessment, of the Rogue Valley Sewer Services.

Right of way for ditches, canals, and reservoir sites for irrigation purposes constructed, or which may be constructed by the authority of the United States, or otherwise, which rights of way are hereby expressly reserved, set out in deed of the State of Oregon to H. C. Gamett recorded May 25, 1907, in Volume 61, Page 500 of the Deed Records of Jackson County, Oregon, no exact location given.

Right(s) of way for the transmission and distribution of electricity, and for other purposes, granted to PacificCorp, an Oregon corporation, or its predecessor in interest, by instrument recorded February 15, 1960 in Volume 485, Page 314, of the Deed Records of Jackson County, Oregon, no exact location given.

## APPROVALS:

PLANNING FILE NUMBER: LDS-04-18

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.

Pat O'Leary Planning Director March 13, 2007 Date

Examined and approved this 7<sup>th</sup> day of March, 2007.

Paul D. Luni  
City Surveyor

Examined and approved this 8<sup>th</sup> day of March, 2007.

Deanna Berber  
City Engineer

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095 have been paid as of March 14, 2007.

Janice Clark Deputy Tax Collector

Examined and approved as required by O.R.S. 92.100 this 14<sup>th</sup> day of March, 2007.

Dan Ross Assessor S. Heusselt Deputy

## RECORDING

APPROVED FOR RECORDING: Carlynn 3/14/07  
County Commissioner/Administrator Date

FILED FOR RECORD THIS THE 14<sup>th</sup> DAY OF March, 2007 AT 2:13 O'CLOCK P.M.  
AND RECORDED IN VOLUME 33 OF PLATS AT PAGE 16 OF THE RECORDS OF JACKSON COUNTY, OREGON

Kathleen S. Beckett County Clerk Sonya P. Morgan Deputy

REGISTERED PROFESSIONAL LAND SURVEYOR

Logan Miles  
OREGON JULY 12, 2005 LOGAN MILES 65452  
Renewal Date 12/31/08

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

PLOT DATE: MARCH 6, 2007 PROJECT NUMBER: 03042  
Sheet 1 of 3

# WESTWIND ESTATES

PREPARED FOR:

PACTREND INC.  
1014 N. Riverside Ave.  
Medford, Oregon 97501

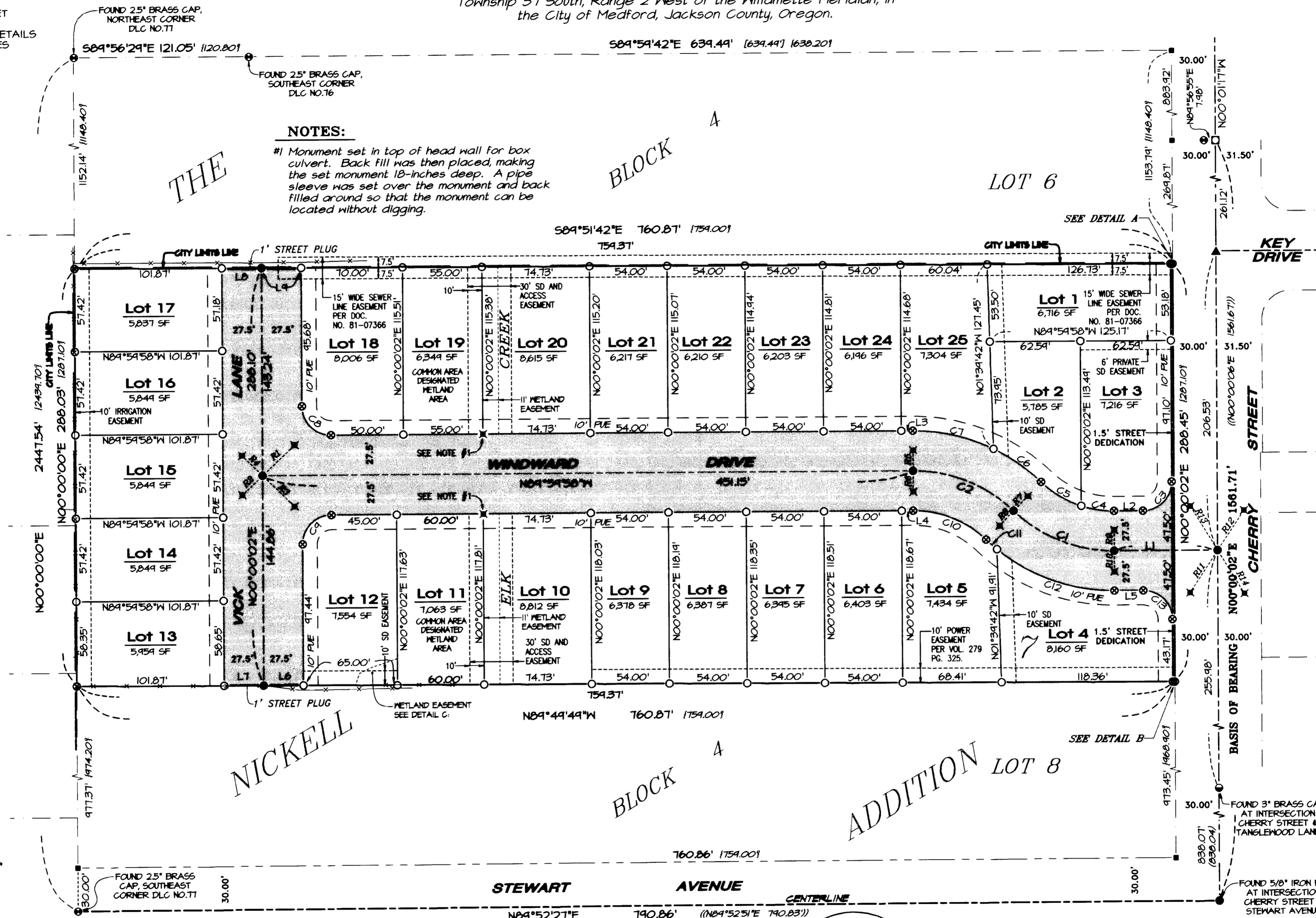
A subdivision being a replat of Lot 7, in Block 4 of THE NICKELL ADDITION, located in the Northeast One-quarter of Section 35, Township 37 South, Range 2 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

### SHEET INDEX:

- SHEET 1: TITLE PAGE
- SHEET 2: PLAT SHEET
- SHEET 3: LEGEND, DETAILS AND TABLES

### NOTES:

#1 Monument set in top of head wall for box culvert. Back fill was then placed, making the set monument 18-inches deep. A pipe sleeve was set over the monument and back filled around so that the monument can be located without digging.



NICKELL

BLOCK 4

ADDITION LOT 8

### BASIS OF BEARINGS:

Geodetic North based on the NGS 84 Datum, established by Global Positioning System Observations. Bearing applied to the found monuments defining the centerline of Cherry Street.

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

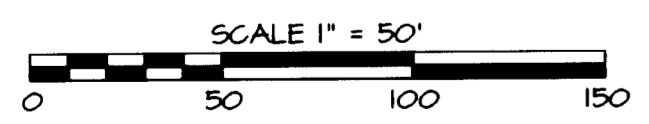
RECEIVED  
DATE 3-1-07 BY *LL*  
This survey consists of:  
3 sheet(s) Map  
8 page(s) Narrative  
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

*Log M/S*  
OREGON  
JULY 12, 2005  
LOGAN MILES  
65452  
Renewal Date 12/31/08

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

PLOT DATE: MARCH 6, 2007 PROJECT NUMBER: 03042  
Sheet 2 of 3

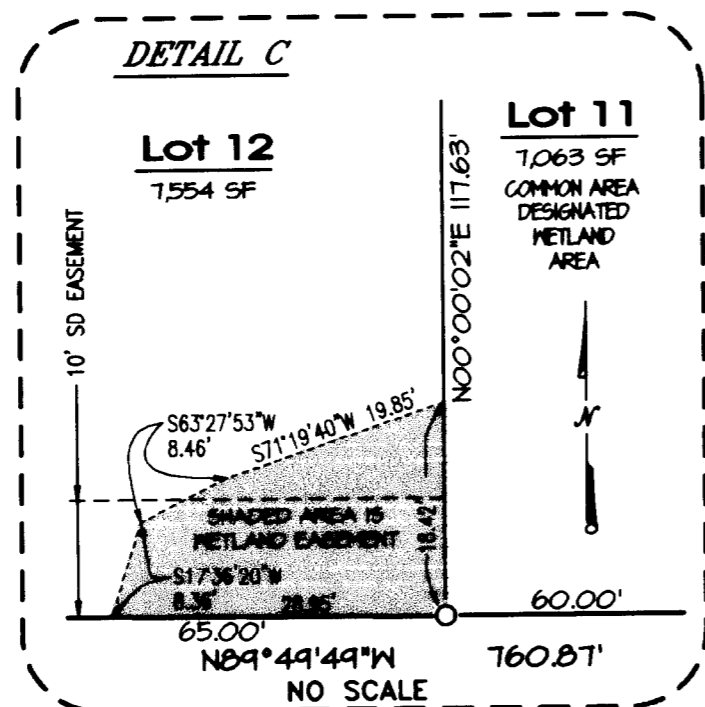
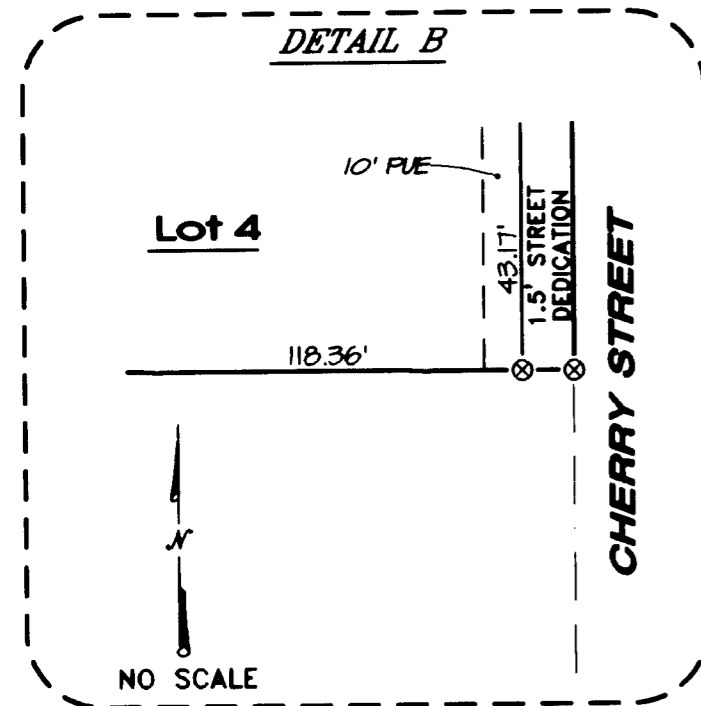
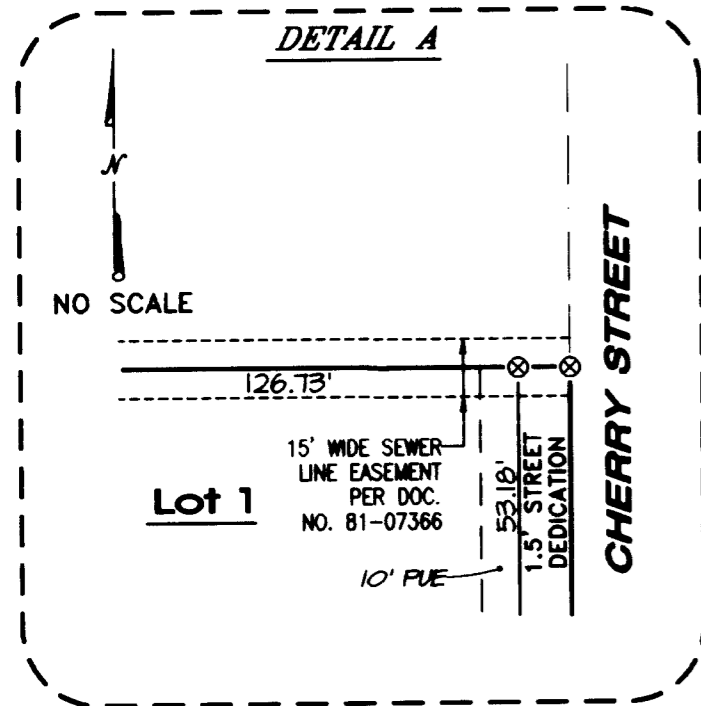


# WESTWIND ESTATES

A subdivision being a replat of Lot 7, in Block 4 of THE NICKELL ADDITION, located in the Northeast One-quarter of Section 35, Township 37 South, Range 2 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

PACTREND INC.  
1014 N. Riverside Ave.  
Medford, Oregon 97501



## LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°59'58"W	71.50'
L2	N89°59'58"W	20.00'
L3	N89°59'58"W	7.92'
L4	S89°59'58"E	7.92'
L5	S89°59'58"E	20.00'
L6	N89°49'44"W	27.50'
L7	N89°49'44"W	27.50'
L8	S89°51'42"E	27.50'
L9	S89°51'42"E	27.50'

## CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	43°57'58"	100.00'	76.74'	N68°00'54"W	74.87'
C2	43°57'58"	100.00'	76.74'	N68°00'54"W	74.87'
C3	90°00'00"	20.00'	31.42'	S45°00'02"W	28.28'
C4	18°09'08"	72.50'	22.97'	N80°55'24"W	22.87'
C5	25°48'50"	72.50'	32.66'	N58°56'25"W	32.39'
C6	18°00'13"	127.50'	40.06'	N55°02'06"W	39.90'
C7	25°57'45"	127.50'	51.77'	N77°01'05"W	51.28'
C8	90°00'00"	20.00'	31.42'	N44°59'58"W	28.28'
C9	90°00'00"	20.00'	31.42'	N45°00'02"E	28.28'
C10	43°57'58"	72.50'	55.63'	S68°00'54"E	54.28'
C11	4°30'39"	127.50'	10.04'	S48°17'20"E	10.04'
C12	39°27'19"	127.50'	87.80'	S70°16'19"E	86.08'
C13	90°00'00"	20.00'	31.42'	S44°59'58"E	28.28'

## C/L R.P. LINE TABLE

LINE	BEARING	DISTANCE
R1	N48°39'26"E	30.40'
R2	S48°39'26"W	19.51'
R3	S45°58'04"E	30.83'
R4	N45°57'44"W	19.89'
R5	N00°00'02"E	14.21'
R6	S00°00'02"W	14.27'
R7	N44°00'28"E	14.23'
R8	S44°00'28"W	14.09'
R9	N00°02'09"E	14.33'
R10	S00°02'09"W	14.28'
R11	S33°27'16"W	34.79'
R12	N33°27'16"E	33.02'
R13	N31°32'07"W	35.80'
R14	S31°32'07"E	34.98'

## LEGEND:

- Indicates a set 5/8-inch diameter iron pin 24 inches long, with an orange plastic cap marked "NEATHAMER SURVEYING".
- ⊗ Indicates a set 5/8-inch diameter iron pin 30 inches long, with an orange plastic cap marked "NEATHAMER SURVEYING".
- Indicates a set 5/8-inch diameter iron pin 30 inches long, with an aluminum cap marked "NEATHAMER SURVEYING".
- ✕ Indicates a set 38-caliber shell casing with brass tag marked "NEATHAMER SURVEYING" set in curb line, top set at or just below the surface, unless otherwise noted.
- ▲ Indicates a found aluminum cap marked "C/L MON. LS 56545". Refer to SN 18074.
- Indicates a found 5/8-inch diameter iron pin with a yellow plastic cap marked "FARBER PLS 2184". Refer to SN 13563 or 13610.
- Indicates a found 3 inch diameter brass cap in concrete, marked "FARBER PLS 2184". Refer to SN 13610.
- Indicates a found brass cap marking the northwest corner of Section 36, per Jackson County Re-establishment notes, unless otherwise noted.
- Indicates a found railroad spike with a center punch. Refer to SN 13563.
- Indicates a computed position, nothing found or set.
- { } Indicates record information per THE NICKELL ADDITION.
- (( )) Indicates record information per SN 13563.
- ( ) Indicates record information per SN 13610.
- [ ] Indicates record information per SN 11184.
- SN Indicates a survey filed by number in the office of the Jackson County Surveyor.
- Doc. No. Indicates an instrument recorded by number of the Official Records of Jackson County, Oregon.
- Vol. Pg. Indicates an instrument recorded by Volume and Page of the Records of Jackson County, Oregon.
- DLC Indicates Donation Land Claim.
- PUE Indicates Public Utility Easement.
- SD Indicates Storm Drain.
- R.P. Indicates Reference Point.
- x— Indicates an existing fence line.

## NOTES

Utilities shall have the right to install, maintain, and operate their equipment above and below ground and all other related facilities within the Public Utility Easements identified on this plat map as may be necessary or desirable in providing utility services within and without the lots identified herein, including the right of access to such facilities and the right to require removal of any obstructions including structures, trees and vegetation that may be placed within the PUE. The utility may require the lot owner to remove all structures within the PUE at the lot owner's expense, or the utility may remove such structures at the lot owner's expense. At no time may any permanent structures be placed within the PUE or any other obstruction which interferes with the use of the PUE without the prior written approval of the utilities with facilities in the PUE.

## SHEET INDEX:

- SHEET 1: TITLE PAGE
- SHEET 2: PLAT SHEET
- SHEET 3: LEGEND, DETAILS AND TABLES

**\*\* RECEIVED \*\***  
DATE 3-14-07 BY OB  
This survey consists of:  
3 sheet(s) Map  
8 page(s) Narrative  
JACKSON COUNTY SURVEYOR

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 12/31/08

## Basis of Survey:

Geodetic North based on the NGS 84 Datum, established by Global Positioning System Observations. Bearing applied to the found monuments defining the centerline of Cherry Street.

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

PLOT DATE: MARCH 6, 2007 PROJECT NUMBER: 03042

Sheet 3 of 3