

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that HERITAGE CLASSIC PROPERTIES, LLC, an Oregon limited liability company, hereinafter referred to as DECLARANT, is the owner in fee simple of the lands as described in the "Surveyor's Certificate" herewith. Declarant has caused this tract of land to be surveyed and platted into Lots, street rights-of-way and easements, as depicted hereon, and hereby designates this subdivision as AERIAL HEIGHTS. Declarant hereby dedicates to the City of Medford those areas portrayed hereon as a right-of-way dedication, including "Hathaway Drive", for public street purposes. Declarant hereby dedicates, for public use, those areas portrayed hereon as Public Utility Easements, Public Storm Drain Easement, Public Sanitary Sewer Easement and Public Sidewalk Easements. Declarant hereby creates: for the use and benefit of Lots 1 to 8, that area portrayed hereon as the 21-foot Private Access Easement, being over, through and across said Lots 1 to 8; those Private Storm Drain easements, being over, through and across Lots 1, and 5 to 8, for the use and benefit of Lots 5 to 8 and the drainage of that 21-foot Private Access Easement previously described herein; those Private Storm Drain easements being over, through and across Lots 9, 11, and 14 to 16, for the use and benefit of Lots 10, 12, and 13 to 15; and, that Private Sanitary Sewer Easement, being over, through and across Lot 6, for the use and benefit of Lot 5. Lots 1 through 8 herein, shall be subject to the Maintenance and Access Agreement, as set forth in Instrument Number 2007-038760, of the Official Records of Jackson County, Oregon. AERIAL HEIGHTS is subject to the CONDITIONS COVENANTS AND RESTRICTIONS as set forth in Instrument Number 2007-038761, of the Official Records of Jackson County, Oregon.

IN WITNESS WHEREOF, signed this 25 day of July, 2007.

Terry L. Buntin, Member Heritage Classic Properties, LLC.

STATE OF OREGON } ss County of Jackson }

Before me, the undersigned Notary Public, personally appeared the above named Terry L. Buntin, known to me as the sole member of HERITAGE CLASSIC PROPERTIES, LLC., and acknowledged the foregoing instrument, to be his voluntary act and deed.

WITNESS my hand and seal this 25 day of July, 2007.

Mark Neathamer, NOTARY PUBLIC-OREGON, COMMISSION NO.: 374275, MY COMMISSION EXPIRES: Oct. 30, 2007

NOTES:

As depicted in note form on the plat herein, there shall be no direct vehicular access onto Hillcrest Road or Cherry Lane, for Lots 1 through 5 and Lots 12 and 16.

Pursuant to the approved CMI plans for this project and their as-built locations, driveways for Lots 9-10 and 11-12 shall be "clustered".

AERIAL HEIGHTS is subject to the following matters of record as contained in the title report supplied for this subdivision:

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

Right of way for the transmission and distribution of electricity, and for other purposes, as recorded in Volume 164, Page 242, Volume 275, Page 286 and Volume 320, Page 54 of the Deed Records of Jackson County, Oregon. The exact location and/or easement widths of said easements were not given, and all existing poles, guy anchors and overhead utility lines are located outside the bounds of this subdivision.

Covenants, Conditions and Restrictions per Volume 380, Page 322 of the Deed Records of Jackson County, Oregon were REPEALED per Instrument No. 94-12130 of the Official Records of Jackson County, Oregon.

Water Service Agreement per Instrument Number 92-33873 of the Official Records of Jackson County, Oregon.

A temporary easement per Instrument Number 93-16435 of the Official Records of Jackson County, Oregon, has been satisfied by the installation of a public water facility, and is no longer valid.

Annexation Agreement, including the terms and provisions thereof, per Instrument Number 93-32636 of the Official Records of Jackson County, Oregon.

AERIAL HEIGHTS

A subdivision being located in the Southeast One-quarter of Section 23, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

BUNTIN CONSTRUCTION LLC, 572 PARSONS DRIVE, SUITE 100, 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 depicted hereon and that this plat is a correct representation of said tract and that the following is an accurate description of the boundary lines of the parent tract of land as set forth hereon:

All that real property being located in the Southeast One-quarter of Section 23, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, and as described in Instrument Number 2005-037566 of the Official Records of Jackson County, Oregon, as now surveyed and more particularly described as follows:

Beginning at a point on the south boundary of said Section 23, being South 89°47'37" East, 3082.30 feet from the southwest corner of said Section 23 (also being the southwest corner per Volume 533 at Page 138 of the Deed Records of Jackson County, Oregon); thence leaving said section line, North 00°10'30" East, 500.82 feet to a point on the southerly right of way of Hillcrest Road, a public road; thence along said right of way, South 78°56'50" East, 405.28 feet to intersect the westerly right of way of Cherry Lane, a public road; thence along said westerly right of way, South 00°10'30" West, 424.56 feet to intersect with the northerly right of way of a public street, as described in Instrument Number 2006-002076 of the Official Records of Jackson County, Oregon (now commonly known as Aerial Heights Drive), also being a point on the southerly boundary of said Section 23; thence along said right of way and section line, South 89°47'37" East, 398.00 feet to the Point of Beginning.

Cael E. Neathamer, Surveyor

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-05-088).

PROCEDURE: Utilizing a Trimble 5600 and S6 robotic instruments and Trimble Data Collectors with Trimble Survey Controller Software, all found monuments were tied via closed traverses or by redundant ties. Records utilized: Instruments Numbered 2005-037566 and 2006-002076 of the Official Records of Jackson County, Oregon; and, Saddle Ridge Subdivision, Phase I (recorded August 5, 2004, in Volume 30 of Plats at Page 48 of the Records of Jackson County, Oregon, and filed as Survey Number 18354 in the office of the Jackson County Surveyor), and Survey Number 13547 as filed in the office of the Jackson County Surveyor.

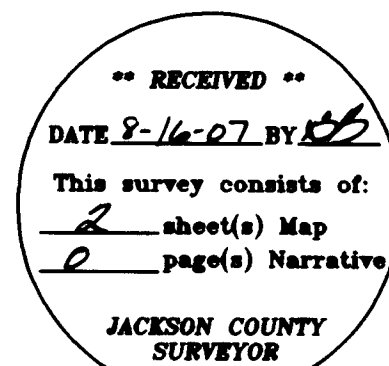
Established Basis of Bearings along the centerline of Hillcrest Road pursuant to said Survey Number 18354, also establishing the southerly right of way thereof and the northerly boundary of the subject tract hereon.

Utilizing found monuments per said Survey Number 13547 and said Instruments Numbered 2005-037566 and 2006-002076, established: the westerly boundary hereof; the westerly right of way of Cherry Lane (also establishing the easterly boundary of the subject tract hereon); and, the southerly boundary hereof, being common with the south line of Section 23 and the northerly right of way of Aerial Heights Drive.

The interior lot corners and centerline monuments were computed, and were set as depicted hereon. The first monument of which was established on April 4, 2007.

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

Cael E. Neathamer, Surveyor



RELEASES:

South Valley Bank and Trust, as holders of beneficiary interest under those certain Trust Deeds recorded as Instrument Number 2005-037567 and re-recorded as Instrument Number 2005-047228, Instrument Number 2007-011928, and Instrument Number 2007-019231, all of the Official Records of Jackson County, Oregon, do hereby release from lien of said trust deeds, all property described in the "SURVEYOR'S CERTIFICATE" hereon, dedicated for public use.

Signed this 25 day of July, 2007.

John Brittain, Vice President Commercial Lending Group South Valley Bank & Trust

STATE OF OREGON } ss County of Jackson }

Before me, the undersigned Notary Public, personally appeared the above-named John Brittain, Vice President Commercial Lending Group, South Valley Bank & Trust, acknowledged the foregoing instrument to be his voluntary act and deed.

WITNESS my hand and seal this 25 day of July, 2007.

Mark Neathamer, NOTARY PUBLIC-OREGON, COMMISSION NO.: 374275, MY COMMISSION EXPIRES: Oct. 30, 2007

APPROVALS:

CITY OF MEDFORD PLANNING FILE NUMBER: LDS-05-088

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, August 10, 2007, Date

Examined and approved this 25th day of July, 2007.

City Engineer, Paul D. Lane, City Surveyor

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095 have been paid as of 8-16-07, 2007.

Taren K. Meade Deputy, Tax Collector

Examined and approved as required by O.R.S. 92.100 this 16th day of August, 2007.

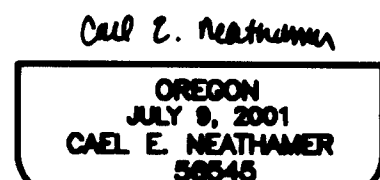
DAN ROSS, Assessor, Anna Crawford, Deputy

RECORDING

FILED FOR RECORD THIS THE 16 DAY OF August, 2007 AT 11:58 O'CLOCK A.M. AND RECORDED IN VOLUME 33 OF PLATS AT PAGE 52 OF THE RECORDS OF JACKSON COUNTY, OREGON.

Kathleen S. Beckett, County Clerk, Cheryl Augeris, Deputy

APPROVED FOR RECORDING: County Commissioner/Administrator, 8/16/07, Date



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

PLOT DATE: July 24, 2007 PROJECT NUMBER: 05059

AERIAL HEIGHTS

A subdivision being located in the Southeast One-quarter of Section 23, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

BUNTIN CONSTRUCTION LLC
672 PARSONS DRIVE, SUITE 100
MEDFORD, OREGON 97501

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	79°07'20"	20.00'	27.62'	S39°23'10"E	25.48'
C2	84°54'56"	20.00'	31.42'	S45°10'28"W	28.28'
C3	90°00'04"	20.00'	31.42'	S44°44'32"E	28.28'
C4	90°01'53"	20.00'	31.43'	S45°11'27"W	28.24'
C5	01°10'38"	318.00'	6.53'	S79°02'25"W	6.53'
C6	19°28'12"	14.50'	6.63'	N09°54'36"E	6.54'
C7	19°28'20"	14.50'	6.63'	N09°33'40"W	6.60'
C8	84°20'58"	19.00'	27.97'	N41°54'54"W	25.51'
C9	16°18'47"	40.00'	11.39'	N07°58'53"W	11.35'
C10	26°10'05"	40.00'	18.27'	N29°13'19"W	18.11'
C11	41°52'06"	40.00'	29.23'	N63°14'25"W	28.58'
C12	69°44'43"	14.50'	17.67'	N49°15'36"W	16.60'
C13	69°44'43"	14.50'	17.67'	S60°54'41"W	16.60'

LEGEND:

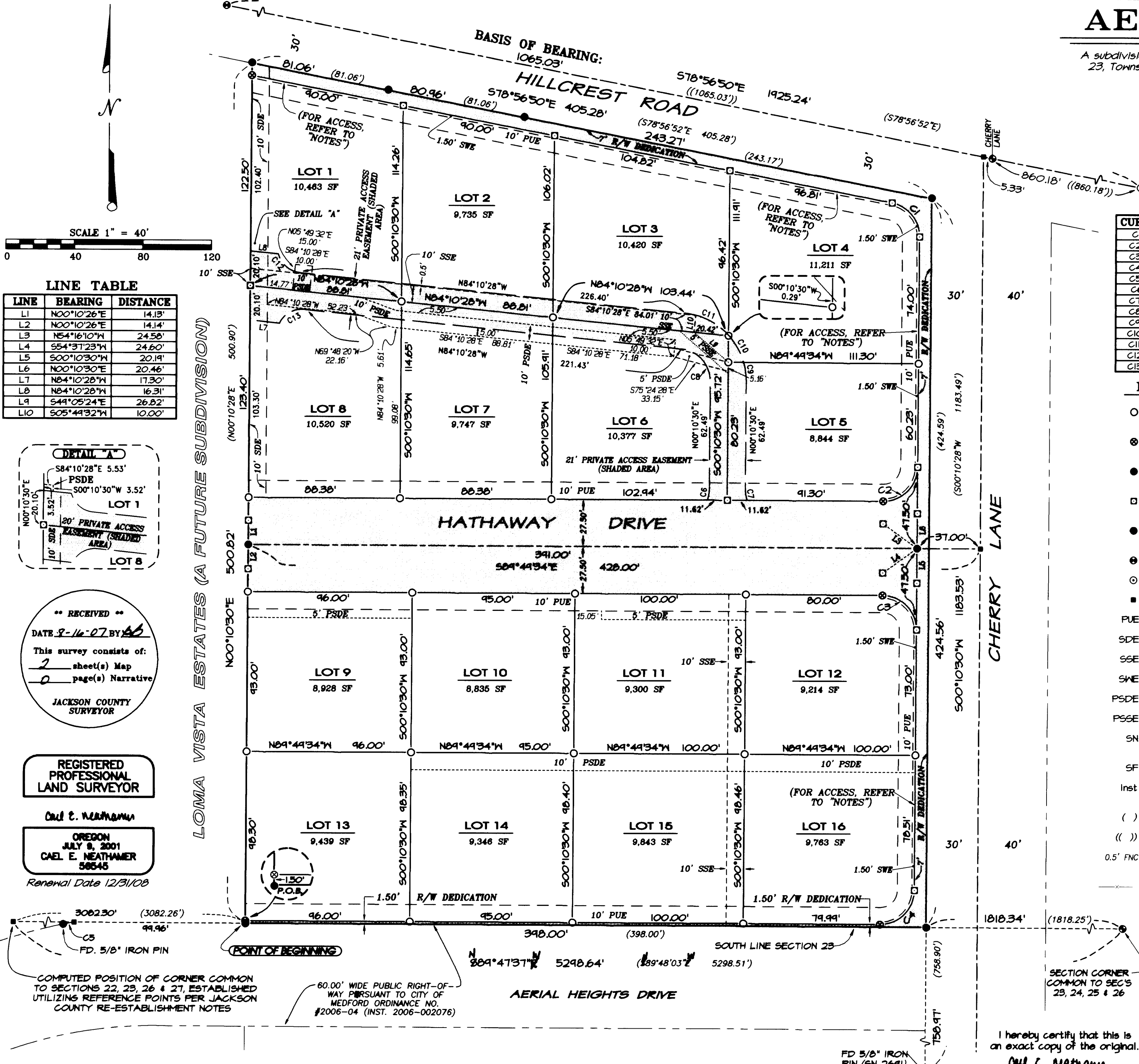
- Indicates a set 5/8-inch diameter by 24-inch long iron pin with an orange plastic cap marked "NEATHAMER SURVEYING".
- ⊗ Indicates a set 5/8-inch diameter by 30-inch long iron pin with an orange plastic cap marked "NEATHAMER SURVEYING".
- Indicates a set 5/8-inch diameter by 30-inch long iron pin with an aluminum cap marked "NEATHAMER SURVEYING".
- Indicates a set 038 caliber shell casing, lead, tack and brass washer marked "NEATHAMER SURVEYING".
- Indicates a found 5/8-inch diameter iron pin with a yellow plastic cap marked "L.J. FRIAR & ASSOC." per SN 13547, unless otherwise noted.
- ⊙ Indicates a found 2-inch diameter brass cap monument.
- ⊙ Indicates a found aluminum cap monument per SN 18354.
- Indicates a computed position, nothing found or set.
- PUE Indicates a Public Utility Easement, and allows sidewalk construction.
- SDE Indicates a Public Storm Drain Easement as created hereon.
- SSE Indicates a Public Sanitary Sewer Easement as created hereon.
- SNE Indicates a Public Sidewalk Easement as created hereon.
- PSDE Indicates a Private Storm Drain Easement as created hereon.
- PSSE Indicates a Private Sanitary Sewer Easement as created hereon.
- SN Indicates a survey filed by number in the office of the Jackson County Surveyor.
- SF Indicates the number of square feet within a closed area such as a lot.
- Inst Indicates an instrument recorded by number of the Official Records of Jackson County, Oregon.
- () Indicates record information as per SN 13547.
- (()) Indicates record information as per SN 18354.
- 0.5' FNC Indicates the distance and which side from the boundary line that the centerline of fence line is.
- Indicates the centerline of an existing fence.

BASIS OF BEARINGS:

The centerline of Hillcrest Road per Survey Number 18354, as filed in the office of the Jackson County Surveyor, and as depicted hereon.

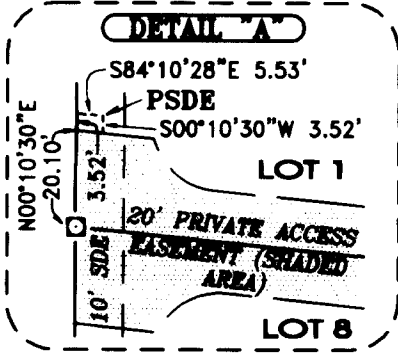
PREPARED BY: Neathamer Surveying, Inc.
3132 State St., Suite 110
PO Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
FAX (541) 732-1382

PLOT DATE: July 24, 2007 PROJECT NUMBER: 05059



LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°10'26"E	14.13'
L2	N00°10'26"E	14.14'
L3	N54°16'10"W	24.58'
L4	S54°37'23"W	24.60'
L5	S00°10'30"W	20.19'
L6	N00°10'30"E	20.46'
L7	N84°10'28"W	17.30'
L8	N84°10'28"W	16.31'
L9	S44°05'24"E	26.82'
L10	S05°44'32"W	10.00'



**** RECEIVED ****
DATE 8-16-07 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 8, 2001
CARL E. NEATHAMER 56545
Renewal Date 12/31/08

COMPUTED POSITION OF CORNER COMMON TO SECTIONS 22, 23, 26 & 27, ESTABLISHED UTILIZING REFERENCE POINTS PER JACKSON COUNTY RE-ESTABLISHMENT NOTES

60.00' WIDE PUBLIC RIGHT-OF-WAY PURSUANT TO CITY OF MEDFORD ORDINANCE NO. #2006-04 (INST. 2006-002076)

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