

WEST DUTTON WAREHOUSE CONDOMINIUMS

Parcel 3 of Partition Plat No P-64-2004 of the Records of Jackson County, Oregon; Filed October 5, 2004, Index Volume 15, Page 64, County Survey No. 18451, located in the Northeast One-quarter of the Northeast One-quarter of Section 17, Township 36 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

PREPARED FOR:

MBK Dutton, LLC
328 South Central Ave
Medford, OR 97504

PURPOSE: To survey and monument exterior boundary and depict the Units GCE boundaries of WEST DUTTON WAREHOUSE CONDOMINIUMS.

PURPOSE: Utilizing a Trimble 5600 Total Station, Trimble 5700 Global Positioning System (GPS) and Trimble Data Collectors with Trimble Survey Controller Software, all found monuments were tied within closed loop traverses or via redundant ties.

Utilizing Document Number 06-049853 of the Official Records of Jackson County, Oregon, the subject property is described as Parcel No. 3 of Partition Plat No. P-64-2004 of the Records of Jackson County, Oregon. The southerly right-of-way of Dutton Road was established utilizing record angle and distance from the brass cap marking the Section Corner common to Sections 8, 9, 16 and 17, along with found monuments per Surveys Numbered 12975, 18303 and 18451 as filed in the office of the Jackson County Surveyor. The easterly, westerly and southerly boundaries of the subject property were established by found monuments, per said Surveys, conforming with said Partition Plat No. P-64-2004.

Utilizing record distances, angles and found monuments per said Partition Plat P-64-2004, the exterior boundary and condominiums of WEST DUTTON WAREHOUSE CONDOMINIUMS were established as depicted hereon.

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that MBK Dutton, LLC, an Oregon Limited Liability Company, hereinafter referred to as Declarant, is the fee title owner of the real property depicted hereon and more particularly described in the "SURVEYOR'S CERTIFICATE" herewith. Declarant hereby declares that the Plat is a correct representation of the land as laid out by us as WEST DUTTON WAREHOUSE CONDOMINIUMS, and do hereby commit the land and improvements shown on this plat to the operation of the Condominium Law as set forth in ORS Chapter 100 and that said land and improvements are subject to the provisions of ORS 100.005 to 100.625. WEST DUTTON WAREHOUSE CONDOMINIUMS shall be subject to (1) the Declaration of Condominium Ownership for WEST DUTTON WAREHOUSE CONDOMINIUMS and (2) the By-Laws of the WEST DUTTON WAREHOUSE CONDOMINIUMS ASSOCIATION to be recorded simultaneously with this plat.

IN WITNESS WHEREOF, signed this 25th day of September, 2007.

William Reagan
William Reagan, Registered Agent
MBK Dutton, LLC

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 described in Document Number 06-049853 of the official records of Jackson County, Oregon, being located in the Northeast One-quarter of the Northeast One-quarter of Section 17, Township 36 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, more particularly described as follows:

Parcel No. 3 of Partition Plat No. P-64-2004 of the Records of Jackson County, Oregon; filed October 5, 2004, in Index Volume 15, Page 64, County Survey No. 18451.

Cael E. Neathamer
Surveyor

SURVEYOR STATEMENT TO COMPLY WITH PARAGRAPH 100.115(2d), OREGON REVISED STATUTES

This plat accurately depicts the boundaries of the units and that the construction of the buildings, units and common elements as depicted on the Plat are complete.

THE DECLARATION OF CONDOMINIUM OWNERSHIP, COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN RECORDED IN DOCUMENT NUMBER 2007-045085 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

THE BYLAWS OF WEST DUTTON WAREHOUSE CONDOMINIUMS ASSOCIATION HAVE BEEN RECORDED IN DOCUMENT NUMBER 2007-045086 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

NOTES:

WEST DUTTON WAREHOUSE CONDOMINIUMS is subject to the following matters of record as contained in the title report supplied for this project:

City liens, if any, of the City of Eagle Point.

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

Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of the Rogue River Valley Irrigation District.

The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.

Reservation for utility lines, easements, licenses and permits for roads, including all incidentals and property thereto, as noted in deed, recorded October 24, 1949, as Volume 325 Page 83 in the Official Records of Jackson County, Oregon.

Deferred Improvement Agreement, including the terms and provisions thereof, recorded December 23, 1987 as Instrument No. 87-26613, and Notice of Extension recorded October 1, 1991 as Instrument No. 91-23645, Official Records of Jackson County, Oregon.

Restrictive Covenant, including the terms and provisions thereof, recorded November 19, 1990 as Instrument No. 90-29109, Official Records of Jackson County, Oregon.

An easement created by instrument, including the terms and provisions thereof, recorded December 19, 1944, as Instrument No. 94-44172, Official Records of Jackson County, Oregon, in favor of PacificCorp, an Oregon Corporation, or its predecessor in interest, for transmission and distribution of electricity. (Exact location not given).

An easement created by instrument, including the terms and provisions thereof, recorded August 27, 1997, as Instrument No. 97-32165, Official Records of Jackson County, Oregon, in favor of Bear Creek Valley Sanitary Authority for sewer lines.

An easement created by instrument, including the terms and provisions thereof, recorded October 20, 1997, as Instrument No. 97-39108, Official Records of Jackson County, Oregon, in favor of PacificCorp, an Oregon Corporation, for transmission and distribution of electricity. (Exact location not given).

Restrictive Covenant, including the terms and provisions thereof, recorded May 6, 2004 as Instrument No. 2004-025261, as imposed by deed recorded June 1, 2006 as Instrument No. 2006-028292, Official Records of Jackson County, Oregon.

Private Utility Easement as delineated on the recorded plat along the South 5 feet of Partition Plat No. P-64-2004.

An easement created by instrument, including the terms and provisions thereof, recorded February 12, 2007, as Instrument No. 2007-07192, Official Records of Jackson County, Oregon, in favor of Rogue Valley Sewer Services for sewer easement.

Building Site Improvement Agreement, including the terms and provisions thereof, recorded March 13, 2007, as Instrument No. 2007-12056, Official Records of Jackson County, Oregon, by and between Jackson County, State of Oregon and MBK Dutton, LLC.

Assignment of Rents, including the terms and provisions thereof, dated April 27, 2007 and recorded April 27, 2007 as Instrument No. 2007-20243 from MBK Dutton LLC, an Oregon Limited Liability Company to People's Bank of Commerce.

An easement created by instrument, including the terms and provisions thereof, recorded May 1, 2007, as Instrument No. 2007-20702, Official Records of Jackson County, Oregon, in favor of PacificCorp, an Oregon Corporation, for utility easement.

An easement created by instrument, including the terms and provisions thereof, recorded May 4, 2007, as Instrument No. 2007-22133, Official Records of Jackson County, Oregon, in favor of PacificCorp, an Oregon Corporation, or its predecessor or successor in interest for transmission and distribution of electricity. (Exact location not given).

STATE OF OREGON }
County of Jackson } SS

Personally appeared the above named William Reagan, known to me as a Registered Agent of MBK Dutton, LLC, an Oregon Limited Liability Company, 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 25th day of September, 2007.

Before me:
Mark Neathamer
Mark Neathamer NOTARY PUBLIC-OREGON
COMMISSION NO.: 374275
MY COMMISSION EXPIRES: Oct. 31st 2007

RELEASE

Peoples Bank of Commerce, as holders of beneficiary interest under that certain Trust Deed dated April 27, 2007 and recorded April 27, 2007 as Instrument Number 07-020242, Official Records of Jackson County, Oregon, do hereby release from lien of said Trust Deed all property shown hereon as dedicated to public use and consent to the conversion of the property to condominiums.

Signed this 25th day of September, 2007.

Ken Trautman
Ken Trautman, President
Peoples Bank of Commerce

STATE OF OREGON }
County of Jackson } SS

Personally appeared the above named Ken Trautman, known to me to be the President of the PEOPLES BANK REAL ESTATE LOAN CENTER, an Oregon Corporation, and acknowledged the foregoing instrument, to be his voluntary act and deed.

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

Before me:
Mark Neathamer
Mark Neathamer NOTARY PUBLIC-OREGON
COMMISSION NO.: 374275
MY COMMISSION EXPIRES: Oct. 31st 2007

SHEET INDEX:

- SHEET 1 - TITLE SHEET.
- SHEET 2 - PLAT SHEET.
- SHEET 3 - BUILDING UNIT DETAILS.

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

** RECEIVED **
DATE 9-27-07 BY BB
This survey consists of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

CAEL E. NEATHAMER
OREGON
JULY 9, 2001
CAEL E. NEATHAMER
58545
Renewal Date 12/31/08

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

PROJECT NUMBER: 06122 PLOT DATE: September 25, 2007
Sheet 1 of 3

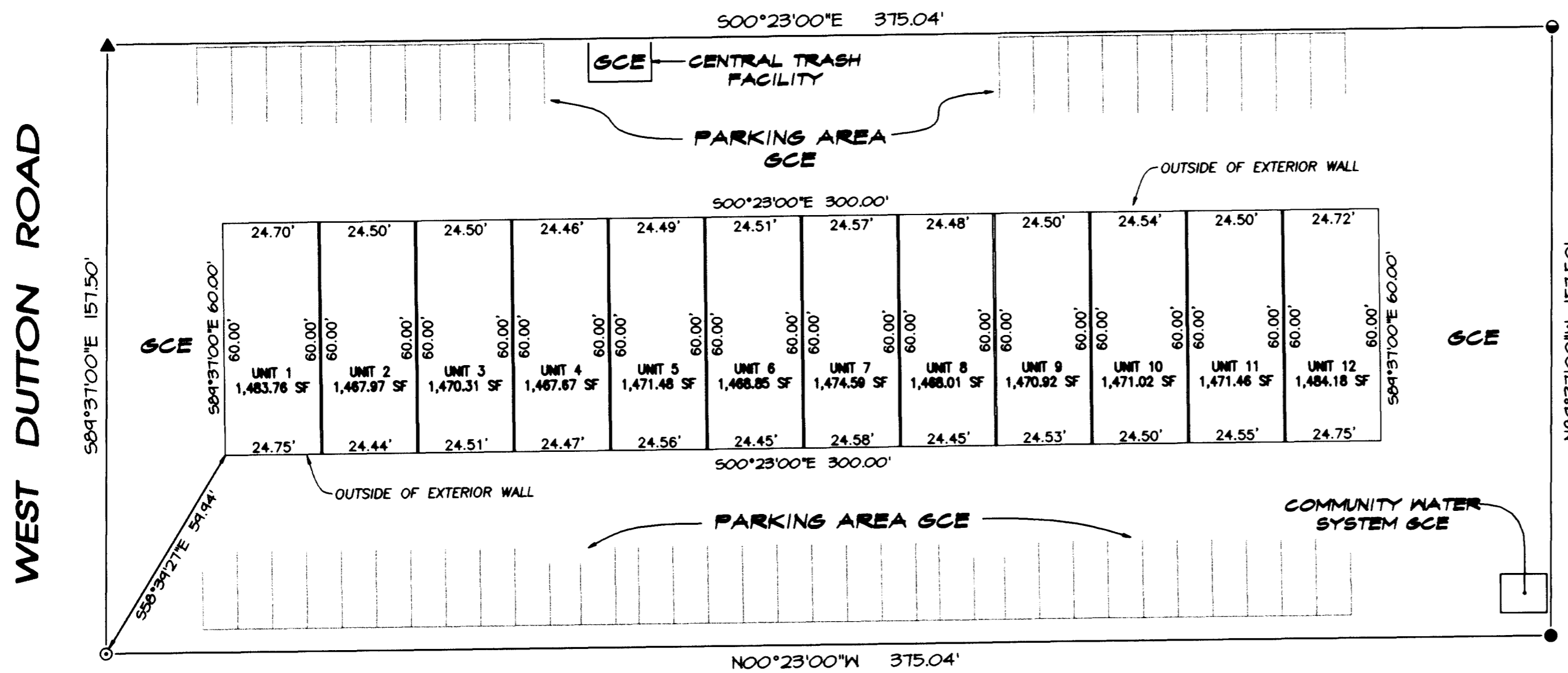
WEST DUTTON WAREHOUSE CONDOMINIUMS

Parcel 5 of Partition Plat No P-64-2004 of the Records of Jackson County, Oregon; Filed October 5, 2004, Index Volume 15, Page 64, County Survey No. 18451, located in the Northeast One-quarter of the Northeast One-quarter of Section 17, Township 36 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

PREPARED FOR:

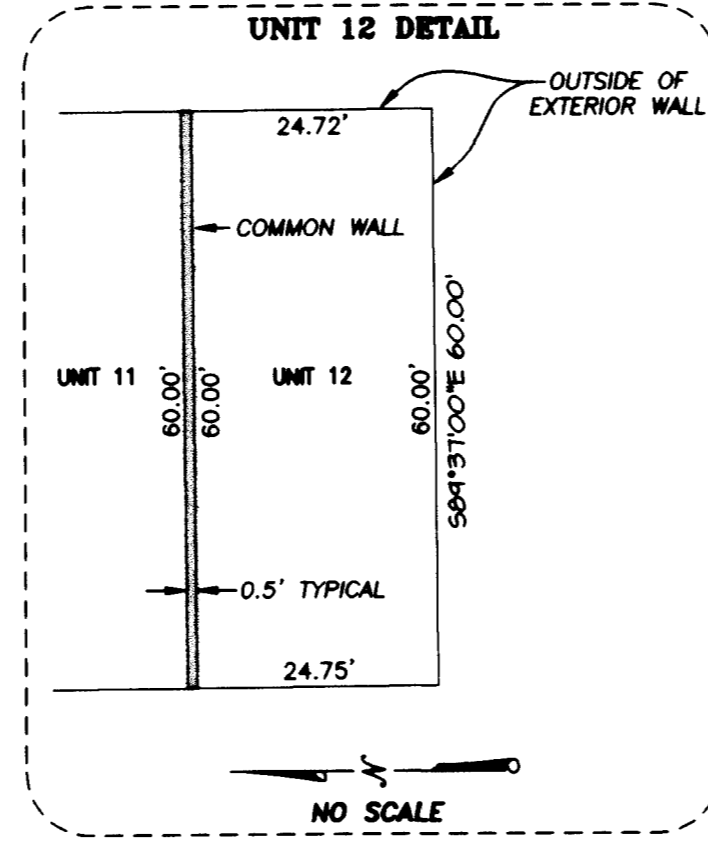
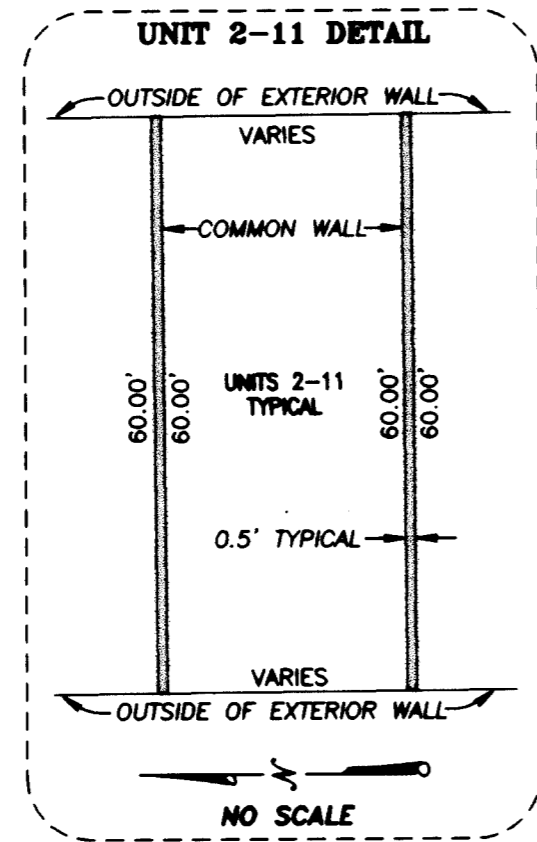
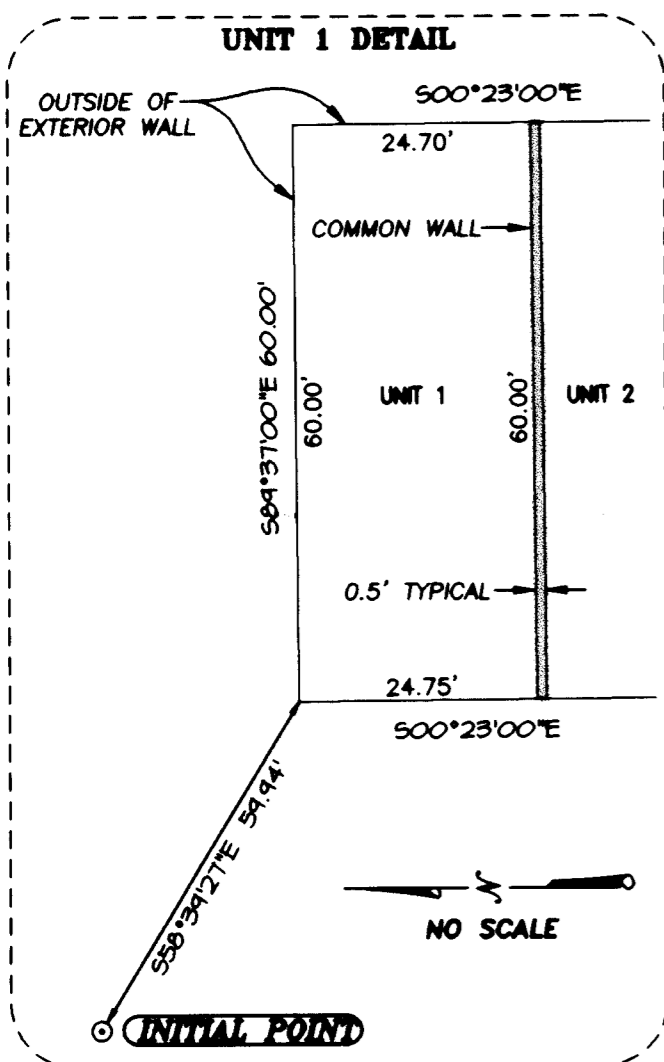
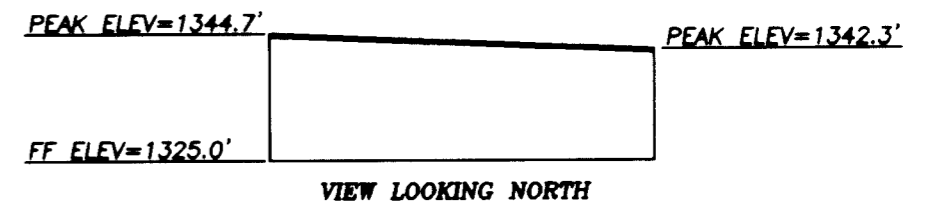
MBK Dutton, LLC
520 South Central Ave
Medford, OR 97504

BUILDING UNIT DETAILS



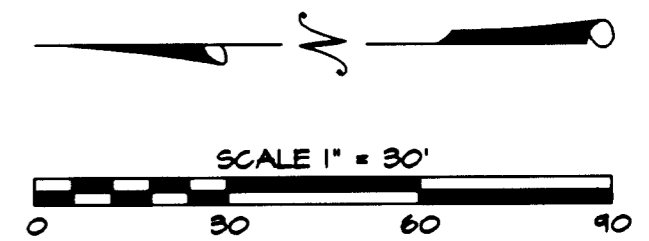
LEGEND:

- INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH AN ORANGE PLASTIC CAP MARKED "KAMPMANN PLS 2803". PER SN 18451.
- INDICATES A FOUND 2-INCH DIAMETER ALUMINUM CAP STAMPED "INITIAL POINT". PER SN 18451.
- INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH A RED PLASTIC CAP MARKED "D. MINNECI LS 2344". PER SN 18303.
- ▲ INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH A YELLOW PLASTIC CAP MARKED "D. HOFFBACH LS 1640". PER SN 12975.
- SF INDICATES THE NUMBER OF SQUARE FEET WITHIN A CLOSED AREA.
- GCE INDICATES GENERAL COMMON ELEMENT.
- FF INDICATES FINISHED FLOOR.



NOTE:

THE "OUTSIDE OF EXTERIOR WALL" AND "COMMON WALL", AS LISTED HEREON, ARE AT THE EXTERIOR OF THE STEEL FRAMING OF EACH WALL.



BASIS OF SURVEY:

Basis of bearings: Partition plat recorded October 5, 2004, as Partition Plat No P-64-2004 of the Records of Partition Plats in Jackson County, Oregon, Index Volume 15, Page 64.

Basis of elevations: Jackson County Global Positioning System (GPS) Control Point Number 132, being a brass cap marking the Section Corner common to Sections 20, 21, 28 and 29, Township 36 South, Range 1 West of the Willamette Meridian. Published elevation for said point: 1326.05 feet on the vertical datum of NGVD 29(47).

I hereby certify that this is an exact copy of the original.
CAEL E. NEATHAMER
Surveyor

RECEIVED
DATE 9-27-07 BY *bb*
This survey consists of:
3 sheet(s) Map
2 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

CAEL E. NEATHAMER
OREGON
JULY 9, 2001
CAEL E. NEATHAMER
58545
Renewal Date 12/31/08

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

PROJECT NUMBER: 06122 PLOT DATE: September 25, 2007

Sheet 3 of 3

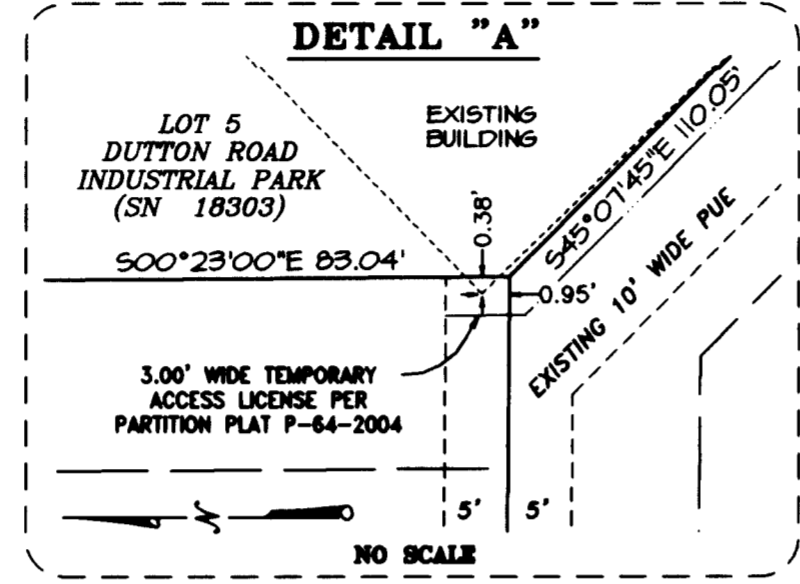
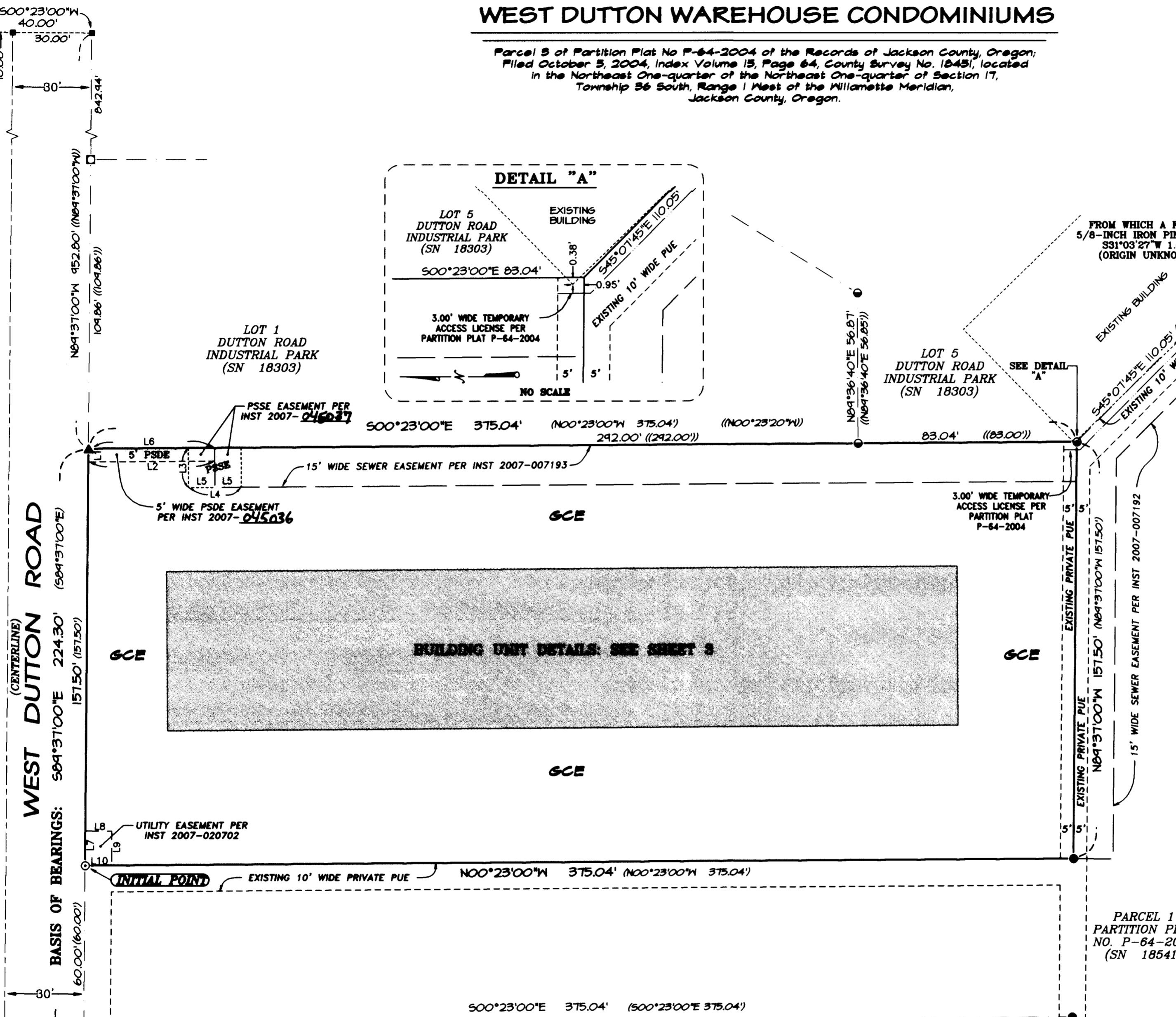
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PREPARED FOR:

MBK Dutton, LLC
328 South Central Ave
Medford, OR 97504

FD. BRASS CAP SECTION CORNER TO SECTIONS 8, 9, 16 & 17 PER JACKSON COUNTY RE-ESTAB NOTES



LEGEND:

- INDICATES A FOUND BRASS CAP AS INDICATED HEREON.
- INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH AN ORANGE PLASTIC CAP MARKED "KAHFMANN PLS 2883". PER SN 18451.
- INDICATES A FOUND 2-INCH DIAMETER ALUMINUM CAP STAMPED "INITIAL POINT". PER SN 18451.
- ⊗ INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH A YELLOW PLASTIC CAP MARKED "JACKSON CO. PUBLIC WORKS". PER SN 15741.
- INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH A RED PLASTIC CAP MARKED "D. MINNECI LS 2344". PER SN 18303.
- INDICATES A FOUND TAG IN CONCRETE STAMPED "LS 2344". PER SN 18303.
- ▲ INDICATES A FOUND 5/8-INCH DIAMETER IRON PIN WITH A YELLOW PLASTIC CAP MARKED "D. HOFFBUHR LS 1640". PER SN 12475.
- INDICATES A COMPUTED POSITION.
- SN INDICATES A SURVEY RECORDED BY NUMBER IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.
- SG FT INDICATES THE NUMBER OF SQUARE FEET WITHIN A CLOSED AREA.
- GCE INDICATES GENERAL COMMON ELEMENT.
- PUE INDICATES A PUBLIC UTILITY EASEMENT.
- PSDE INDICATES A PRIVATE STORM DRAIN EASEMENT.
- PSSE INDICATES A PRIVATE SANITARY SEWER EASEMENT.
- () INDICATES RECORD INFORMATION PER SN 18451.
- (()) INDICATES RECORD INFORMATION PER SN 18303.

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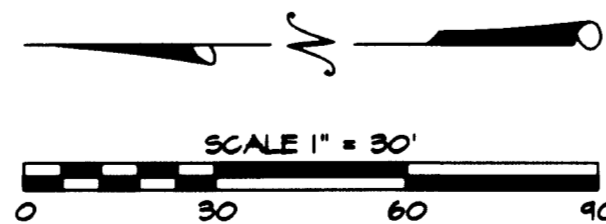
LINE TABLE

LINE	BEARING	DISTANCE
L1	S84°37'00"E	5.00'
L2	N00°23'00"E	47.87'
L3	N84°37'00"E	15.00'
L4	N00°23'00"W	20.00'
L5	N00°23'00"W	10.00'
L6	S00°23'00"E	47.80'
L7	S84°37'00"E	13.13'
L8	S00°23'00"W	10.00'
L9	N84°37'00"W	13.00'
L10	N00°23'00"W	10.00'

PARCEL 2 PARTITION PLAT NO. P-64-2004 (SN 18541)

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

Carl E. Neathamer
Surveyor



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