

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that DORSEY & MCFADDEN 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, Common Area, and public and private easements, as depicted hereon, the number of each lot and the course and length of all lines are plainly set forth, that this plat is a correct representation of the subdivision, and hereby designates this subdivision as "PROGRESS TOWNHOMES". Declarant hereby dedicates to the City of Medford for public use, those Public Utility Easements as depicted hereon. Declarant hereby creates, as depicted hereon: the "Common Area", for the use and benefit of the owners of Lots 1 through 7, their heirs and assigns, which shall allow for private utilities, their appurtenances and facilities serving said lots, as located therein, and shall also allow for ingress-egress access to install, maintain and repair the same; those Maintenance and Access Easements being over, across, under, and through Lots 1 through 7, for the use and benefit of the owners, their heirs and assigns thereof; a 7-foot wide Adjacent Access Easement being over, across, under and through Lot 5 and the Common Area hereon, for pedestrian use, benefiting Units 1 through 14 of Wildwood Condominiums, Phase I, SN 8465; and, 3-foot wide Private Utility Easements being over, across, under, and through Lots 2 and 7, for the use and benefit of Lots 3 and 6 respectively. Declarant, their heirs and assigns, shall be subject to those Conditions and Restrictive Covenants as contained in Instrument No. 2007-000350 of the Official Records of Jackson County, Oregon.

IN WITNESS WHEREOF, signed this 12th day of December, 2007.

Roger McFadden, Member DORSEY & MCFADDEN PROPERTIES, LLC.

STATE OF OREGON } ss County of Jackson }

Personally appeared the above named Roger McFadden, known to me as the Manager of DORSEY & MCFADDEN PROPERTIES, 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 bylaws, to be his voluntary act and deed.

WITNESS my hand and seal this 12th day of December, 2007.

Before me: Mark Neathamer, NOTARY PUBLIC-OREGON COMMISSION NO.: 421242 MY COMMISSION EXPIRES: Oct. 30th 2007

RELEASE

Umpqua Bank, an Oregon Corporation, as holder of beneficiary interest under that certain Trust Deed, as recorded in Instrument Number 06-060342 on December 1, 2006, in the Official Records of Jackson County, Oregon, does hereby release from lien of said Trust Deed all property shown hereon as dedicated to public use.

Signed this 12 day of December, 2007.

Lori Williams, Vice President Umpqua Bank

STATE OF OREGON } ss County of Jackson }

Personally appeared the above named Lori Williams, known to me as Vice President of Umpqua Bank, an Oregon Corporation, and acknowledged the foregoing instrument, to be her voluntary act and deed.

WITNESS my hand and seal this 12 day of December, 2007.

Before me: Michelle Walter, NOTARY PUBLIC-OREGON COMMISSION NO.: 291924 MY COMMISSION EXPIRES: April 19, 2009

SHEET INDEX

Table with 2 columns: SHEET, DESCRIPTION. Row 1: 1, This sheet. Row 2: 2, Plat Sheet (with PUE). Row 3: 3, Remaining Easements.

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

PROGRESS TOWNHOMES

A Pad Lot Subdivision located in the Southwest One-quarter of Section 18, and in the Northwest One-quarter of Section 19, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

MCFADDEN HOMES, INC. 3220 Westover Blvd. Central Point, OR 97502

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 as described in Instrument Number 2006-052173 of the Official Records of Jackson County, Oregon, being located in the Southwest One-quarter of Section 18, and in the Northwest One-quarter of Section 19, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, the exterior boundary of which, as now surveyed, is more particularly described as follows:

Beginning at the North, Northeast corner of Wildwood Condominiums, PHASE II, a condominium in the City of Medford, Jackson County, Oregon; thence along the easterly line thereof the following courses and distances: South 00°47'36" West 92.00 feet; thence South 89°12'24" East 13.84 feet; thence South 00°47'36" West 93.00 feet; thence South 18°19'35" East 35.99 feet; thence South 89°12'24" East 45.54 feet, to a point on the west line of Parcel 2 described in Instrument Number 84-04428 of the Official Record, of Jackson County, Oregon; thence North 00°47'36" East along said west line 162.93 feet to a point on the south line of Wildwood Condominiums, Phase I, a condominium in the City of Medford, Jackson County, Oregon; thence North 89°57'22" West, along the south line thereof, 11.18 feet (Record: West, 11.176 feet), to the southwest corner of said condominium; thence North 00°47'36" East, along the west line thereof, 92.00 feet to the southeast corner of that tract described in Volume 415, Page 8 of the Deed Records of Jackson County, Oregon; thence North 89°57'22" West (Record: West), along the south line of said tract, 80.00 feet to the southwest corner thereof; thence South 00°47'36" West (Record South 00°30' West), along the westerly line of that tract described in Instrument Number 82-03654, of the Official Records of Jackson County, Oregon, 35.00 feet to a point on the north line of said Wildwood Condominiums, Phase II; thence South 89°57'22" East, along said north line, 20.00 feet, more or less, to the Point of Beginning.

CAEL E. NEATHAMER

CAEL E. NEATHAMER SURVEYOR

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

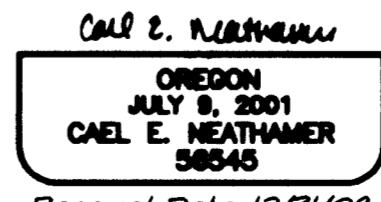
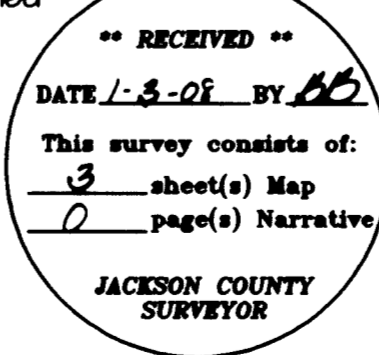
PURPOSE: To survey and monument Client's property pursuant to the conditionally approved Tentative Subdivision Plat, File Number LDS-06-115, as approved by the City of Medford Planning Commission on July 27, 2006.

PROCEDURE: Utilizing an S-6 Total Station and a TSC2 Data Collector all found monuments, as depicted hereon, were tied in a closed loop traverse or with redundant ties.

Records utilized for this survey: Instrument Number 2006-052173; Volume 415, Page 8 of the Deed Records of Jackson County, Oregon; Wildwood Condominiums, Phase I, recorded July 31, 1980, in Volume 14 of Plats at Page 29 of the Records of Jackson County, Oregon, and filed as Survey Number 8465 in the office of the Jackson County Surveyor; Wildwood Condominiums, Phase II, recorded December 2, 1981, in Volume 14 of Plats at Page 75 of the Records of Jackson County, Oregon, and filed as Survey Number 9064 in the office of the Jackson County Surveyor.

Utilizing said Instrument Number 2006-052173, the Wildwood Condominium plats, the found monuments thereof, established the westerly, southerly and easterly boundaries herein. Utilizing said Volume 415, Page 8 and aforesaid Instrument Number 2006-052173, established the northerly boundary hereof.

Computed interior lot corners, and established monuments as depicted hereon, with the exterior boundary monuments being established on May 25, 2007.



NOTES

THIS PLAT COULD BE SUBJECT TO THE FOLLOWING MATTERS OF RECORD:

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

An easement created by instrument, including the terms and provisions thereof, as recorded on September 26, 1940 in volume 227, page 441 of the Deed Records of Jackson County, Oregon, for an irrigation ditch. No existing ditch nor any appurtenances thereof, were found within the bounds herein.

Building Site Improvement Agreement, including the terms and provisions thereof, per Instruments Numbered 2006-0008362 and 2007-024262 of the Official Records of Jackson County, Oregon.

An easement created by instrument, including the terms and provisions thereof, recorded on May 26, 2006 as Instrument Number 2006-027652 of the Official Records of Jackson County, Oregon, in favor of MY ENTERPRISES, LLC., an Oregon Limited Liability Company, for a storm drain.

Building Site Improvement Agreement, including the terms and provisions thereof, recorded on May 21, 2007 as Instrument Number 2007-024262 of the Official Records of Jackson County, Oregon, by and between the City of Medford, a municipal corporation and Roger McFadden.

An easement created by instrument, including the terms and provisions thereof, recorded on January 12, 2007 as Instrument Number 2007-002050 of the Official Records of Jackson County, Oregon, in favor of the City of Medford, by and through its Board of Water Commissioners, for the installation and maintenance of water mains and water facilities.

APPROVALS

CITY OF MEDFORD PLANNING DEPARTMENT FILE NUMBER: LDS-06-115

I certify that, pursuant to the authority granted in Ordinance Number 5785, this plat is hereby approved.

Planning Director: [Signature] Date: December 26, 2007

Examined and approved this 17th day of December, 2007. City Engineer: [Signature] City Surveyor: [Signature]

Examined and approved as required by O.R.S. 92.100 this 28 day of December, 2007.

Assessor: Dan Ross Deputy: Nathan McAlvay

All taxes, fees, assessments, or other charges as required by O.R.S. 92.045 have been paid as of 12/28, 2007.

Tax Collector: Karen W. Meade Deputy: [Signature]

RECORDING

APPROVED FOR RECORDING: [Signature] County Commissioner/Administrator Date: 1-03-08

FILED FOR RECORD THIS THE 3rd DAY OF January, 2008 AT 2:25 O'CLOCK P.M. AND RECORDED IN VOLUME 34 OF PLATS AT PAGE 1 OF THE RECORDS OF JACKSON COUNTY, OREGON.

County Clerk: Kathleen J. Bockett Deputy: Carmen D. Helman

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: December 12, 2007 PROJECT NUMBER: 06045

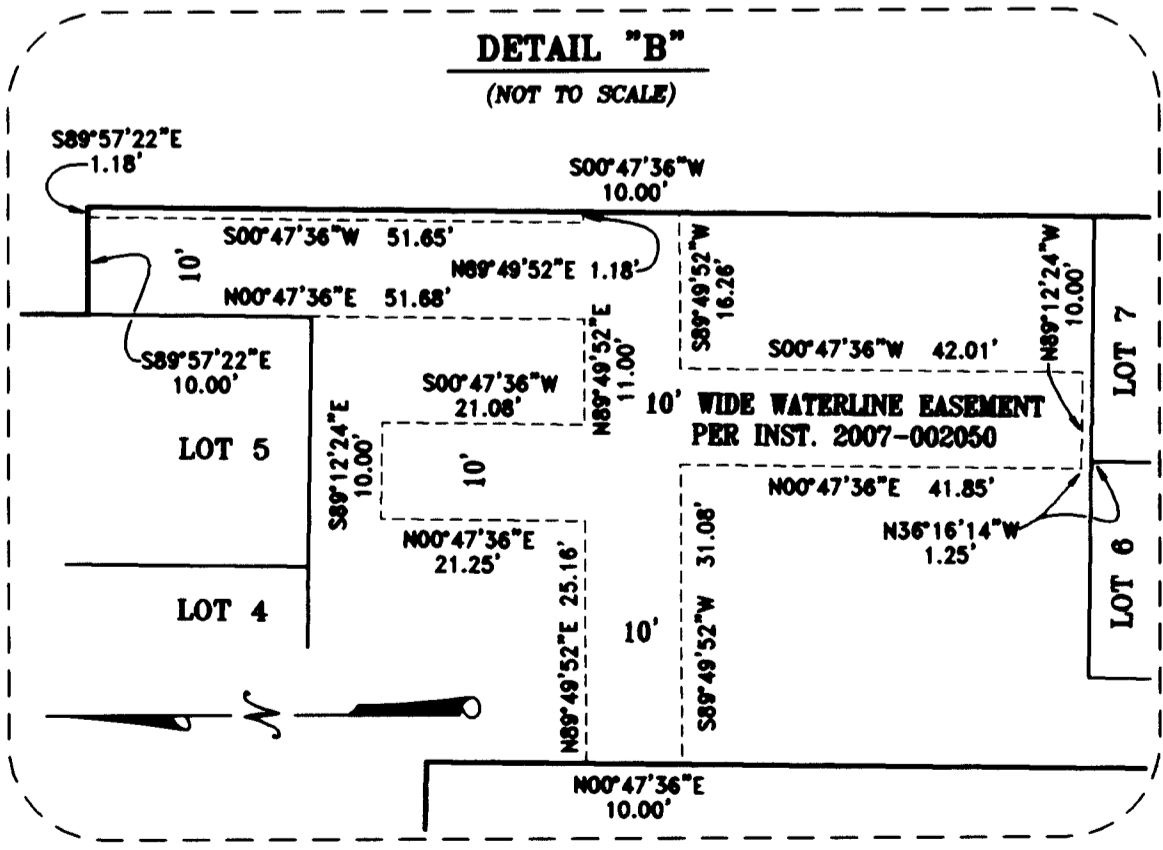
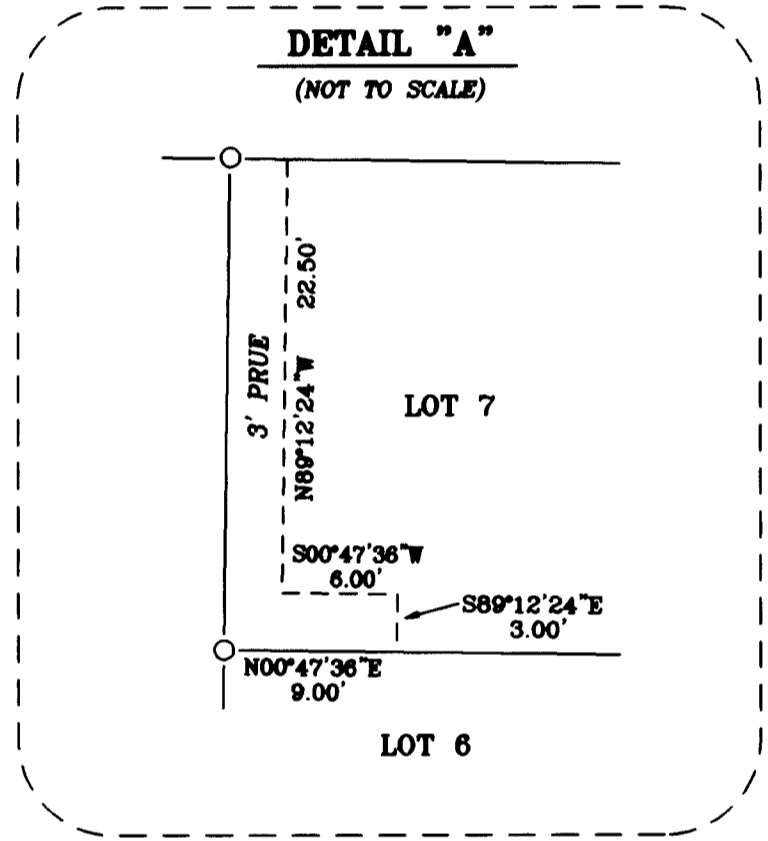
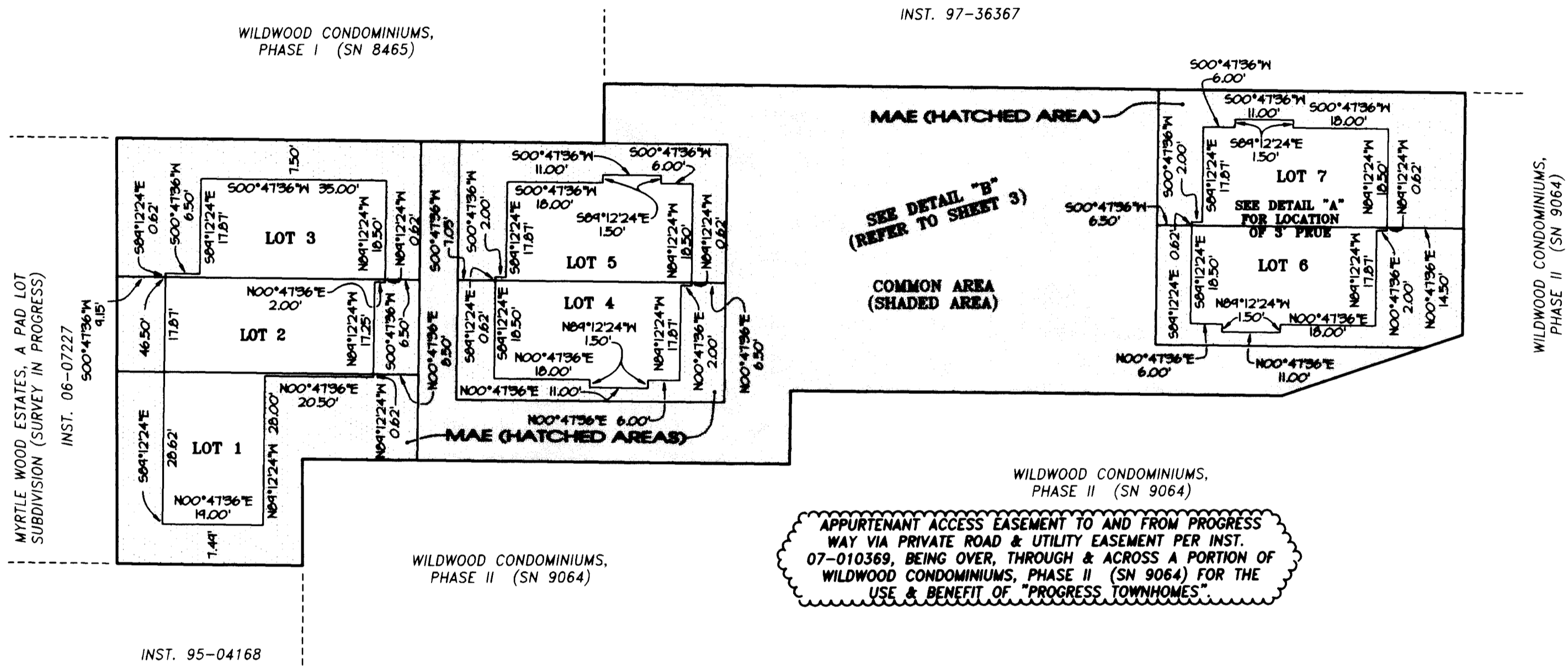
PROGRESS TOWNHOMES

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**PRIVATE UTILITY EASEMENT:
MAINTENANCE AND ACCESS
EASEMENT: WATERLINE
EASEMENT**

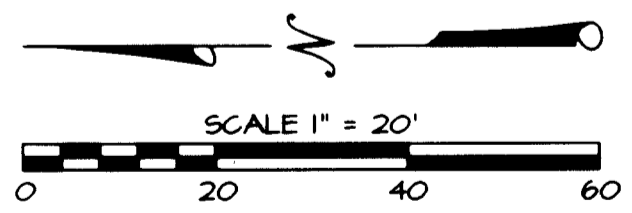
PREPARED FOR:

MCFADDEN HOMES, INC.
3220 Westover Blvd.
Central Point, OR 97502



LEGEND:

- MAE Indicates a Maintenance and Access Easement, being created hereon, refer to Declaration.
- PRUE Indicates a Private Utility Easement.
- INST Indicates an Instrument recorded by number of the Official Records of Jackson County, Oregon.
- SN Indicates a survey filed by number in the office of the Jackson County Surveyor.



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

RECEIVED
DATE 1-3-08 BY [Signature]
This survey consists of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

Carl E. Neathamer
OREGON JULY 8, 2001
CARL E. NEATHAMER
58545

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

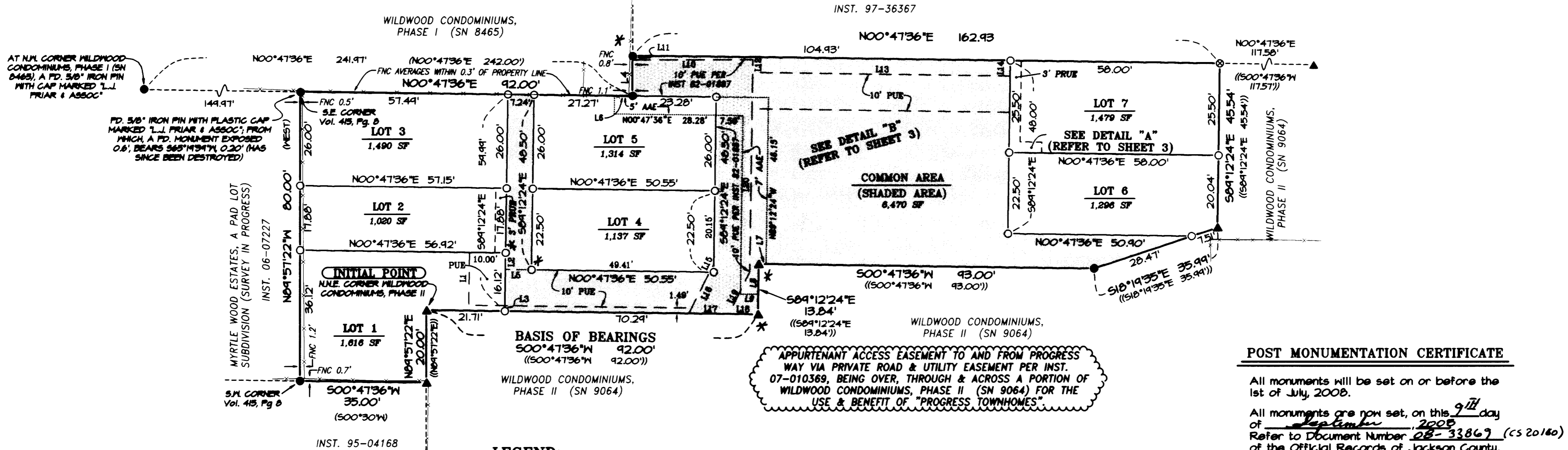
PLOT DATE: December 12, 2007 PROJECT NUMBER: 06045
Sheet 3 of 3

PROGRESS TOWNHOMES

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PREPARED FOR:

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3220 Westover Blvd.
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LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°12'24"W	14.62'
L2	S89°12'24"E	4.62'
L3	N89°12'24"W	1.44'
L4	N89°51'22"W	11.18'
L5	S00°47'36"W	7.24'
L6	S00°47'36"W	5.00'
L7	N00°47'36"E	2.00'
L8	N89°12'24"W	8.34'
L9	N00°47'36"E	5.00'
L10	S00°02'38"W	33.42'
L11	S89°51'22"E	1.18'
L12	S00°47'36"W	71.50'
L13	S89°12'24"E	4.32'
L14	S00°02'38"W	33.42'
L15	N63°16'10"W	2.62'
L16	N63°16'10"W	12.78'
L17	S00°47'36"W	11.12'
L18	S00°47'36"W	8.11'
L19	S63°16'10"E	12.83'
L20	S89°12'24"E	56.84'

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

CAEL E. NEATHAMER
Surveyor

POST MONUMENTATION CERTIFICATE

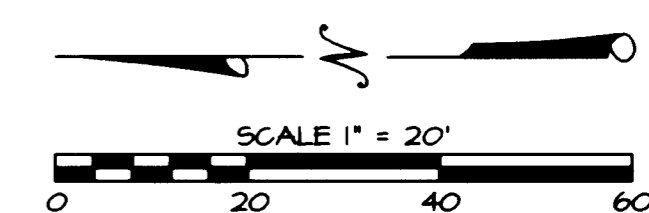
All monuments will be set on or before the 1st of July, 2008.

All monuments are now set, on this 9th day of September, 2008. Refer to Document Number 08-33869 (CS 2010) of the Official Records of Jackson County, Oregon.

CAEL E. NEATHAMER
Jackson County Surveyor

UTILITY NOTE:

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."



BASIS OF BEARINGS:

The east line of Wildwood Condominiums, Phase II, a condominium plat recorded November 2, 1981, in Volume 14 of Plats at Page 75 of the Records of Jackson County, Oregon, and filed as Survey Number 9064 in the office of the Jackson County Surveyor.

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: December 12, 2007 PROJECT NUMBER: 06045

Sheet 2 of 3

RECEIVED
DATE 1-3-08 BY AB
This survey consists of:
3 sheet(s) Map
2 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
CAEL E. NEATHAMER
OREGON JULY 8, 2001
CAEL E. NEATHAMER 58545
Renewal Date 12/31/08