DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, THAT WE, WESLEY D. VAIL AND LUCINDA M. VAIL, ARE THE OWNERS OF THE LANDS HEREON DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND DO HEREBY DECLARE THAT THE PROPERTY BOUNDARIES AND IMPROVEMENTS CALLED HEREIN, VAIL BUILDING CONDOMINIUM, ARE TRUE AND CORRECT, AND DO HEREBY COMMIT SAID PROPERTY TO THE OPERATION AND PROVISIONS OF THE OREGON CONDOMINIUM ACT. THE PROPERTY AND IMPROVEMENTS DESCRIBED AND DEPICTED ON THE PLAT ARE SUBJECT TO THE PROVISIONS OF OREGON REVISED STATUTES 100.005 TO 100.625.

WESLEY D. VAIL

ACKNOWLEDGEMENT

STATE OF GREGON CALIFORNIA SON OMA EXCESSIN COUNTY

PERSONALLY APPEARED THE ABOVE NAMED WESLEY D. VAIL, ON THIS 2 1 DAY OF MAGUEST , 2007 AND ACKNOWLEDGED THE POREGOING TO BE HES VOLUNTARY ACT AND DEED.

NOTARY SIGNATURE COMMISSION NO. 1639290 MY COMMISSION EXPIRES JANUARY 17, 2010

ACKNOWLEDGEMENT

STATE OF PRISON CALIFORNIA SONOMA)SS

PERSONALLY APPEARED THE ABOVE NAMED LUCINDA M. VAIL, ON THIS 1/2 DAY OF MULLY AND ACKNOWLEDGED THE FOREGOING TO BE HER VOLUNTARY ACT AND DEED.

CALIFORNIA AMY ROWE COMMISSION NO. 1644290 MY COMMISSION EXPIRES January 17, 2010

SURVEYORS CERTIFICATE OF COMPLETION

IN ACCORDANCE WITH O.R.S. 100.115(2D), I, SHAWN KAMPMANN, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PLAT OF VAIL BUILDING CONDOMINIUM, FULLY AND ACCURATELY DEPICTS THE BOUNDARIES OF THE UNITS AND THE BUILDINGS AND THAT CONSTRUCTION OF THE UNITS AND BUILDINGS, AS DEPICTED ON SUCH PLAT, HAS BEEN COMPLETED.

DATED THIS 5th DAY OF September , 2007. Shim Kampmann, PLS 2883

SURVEY NOTES:

THE FOLLOWING ENCUMBRANCES ARE EITHER BLANKET IN NATURE, OR OTHERWISE INSUFFICIENTLY DESCRIBED, AND THEREFORE ARE NOT SHOWN GRAPHICALLY ON THIS PLAT.

EASEMENT FOR AN IRRIGATION DITCH TO BENEFIT ADJACENT PROPERTY RECORDED JANUARY 25, 1884, WITHIN VOLUME 11, PAGE 101 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON.

EASEMENT FOR A FACTORY FLUME AND DITCH TO BENEFIT ADJACENT PROPERTY RECORDED APRIL 14, 1884, WITHIN VOLUME 11, PAGE 258 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON.

RIGHTS AND PRIVILEGES FOR IRRIGATION PURPOSES ACROSS PROPERTY, RECORDED MAY 27, 1905, WITHIN VOLUME 52, PAGE 415 OF THE DEED RECORDS OF JACKSON COUNTY, ORBGON.

A SLOPE EASEMENT TO THE OREGON STATE HIGHWAY DEPARTMENT, RECORDED DECEMBER 17, 1956, WITHIN VOLUME 435. PAGE 373 OF THE DEED RECORDS OF JACKSON COUNTY, OREGON.

ALL MINERALS AND MINERAL RIGHTS, SUBJECT TO THE TERMS AND PROVISIONS THEREOF, RECORDED APRIL 26, 1993, WITHIN INSTRUMENT NO. 93-12942 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

TERMS AND PROVISIONS REGARDING NOISE AND VIBRATIONS, PHYSICAL CONDITION OR PRESENCE OF HAZARDOUS MATERIALS, PHYSICAL CUNIDITION OR PRESENCE OF THE RECORDED APRIL 26, 1993, WITHIN INSTRUMENT NO. 93-12942 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

ASSESSOR'S MAP NO. 39 1E 04 CC, Tax Lot 7200

VAIL BUILDING CONDOMINIUM

LYING SITUATE WITHIN

SOUTHWEST QUARTER OF SECTION 4. TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR

WES & LUCINDA VAIL

81 CENTRAL AVENUE ASHLAND, ORBGON 97520

* RECEIVED * Date 2-9-09 By 60 This survey consists of _ sheet(s) Map page(s) Narrative/ JACKSON COUNTY SURVEYOR

SHEET INDEX

SHEET 1 SIGNATURE SHEET SHEET 2 PLAT BOUNDARY SHEET 3 PLAN VIEW SHEET 4 BLEVATION VIEW

SURVEYOR'S CERTIFICATE

I, SHAWN KAMPMANN, DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN 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 HERBON SHOWN, THIS SAID PLAT BEING A CORRECT REPRESENTATION OF THE SAME, AND THE POLLOWING IS AN ACCURATE DESCRIPTION OF THE BOUNDARY LINES:

THAT TRACT OF LAND LYING SITUATE WITHIN DONATION LAND CLAIM NO. 40 AND THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 SOUTH OF RANGE 1 EAST OF THE WILLAMETTE MERIDIAN IN THE CITY OF ASHLAND, JACKSON COUNTY, ORBGON, BEING MORE PARTICULARLY DESCRIBED AND BOUNDED AS

BEGINNING AT AN ALUMINUM CAPPED 5/8 INCH IRON PIN ON THE NORTHERLY LINE OF CENTRAL AVENUE (FORMERLY FACTORY STREET), FROM WHICH THE SOUTHWEST CORNER OF BLOCK 29 OF THE OFFICIAL 1888 MAP OF THE CITY OF ASHLAND BEARS NORTH 63°45'33" WEST, 171.91 FEET; THENCE NORTH 27°14'27" EAST, ALONG THAT BOUNDARY LINE AGREEMENT DESCRIBED WITHIN INSTRUMENT NO. 2005-013117 OF THE OFFICIAL RECORDS OF SAID COUNTY, A DISTANCE OF 100.01 FEET (DEED RECORD 100.05 FEET) TO A 5/8 INCH IRON PIN AT THE NORTHEAST CORNER THERBOF; THENCE NORTH 63°45'33" WEST, CONTINUING ALONG SAID BOUNDARY LINE AGREEMENT, A DISTANCE OF 7.82 FEET (DEED RECORD 11.94 FEET) TO THE WEST BOUNDARY OF THE HELMAN IRRIGATING DITCH DESCRIBED IN VOLUME 268, PAGE 443 OF THE DEED RECORDS OF SAID COUNTY; THENCE ALONG SAID HELMAN DITCH THE FOLLOWING COURSES: NORTH 00°24'08" WEST, 55.94 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 03°43'51" EAST, 53.76 FEET TO A 5/8 INCH IRON PIN AT THE NORTHWEST CORNER OF THE 30.00 FOOT WIDE ASHLAND ICE AND STORAGE NORTHWEST CORNER OF THE 30.00 FOOT WIDE ASHLAND ICE AND STORAGE COMPANY RIGHT OF WAY DESCRIBED IN PARCEL 2 OF INSTRUMENT NO. 93-12942 OF SAID OFFICIAL RECORDS, COMMON WITH THE SOUTH LINE OF A 16.00 FOOT WIDE ALLEY; THENCE SOUTH 63°44'30" EAST, ALONG SAID SOUTH LINE, 42.88 FEET TO A 5/8 INCH IRON PIN AT THE NORTHERLY END OF THAT BOUNDARY LINE AGREEMENT DESCRIBED WITHIN INSTRUMENT NO. 01-04747 OF SAID OFFICIAL RECORDS; THENCE LEAVING SAID SOUTH LINE OF THE ALLEY AND ALONG SAID BOUNDARY LINE AGREEMENT THE FOLLOWING COURSES: 111.00 FEET ALONG THE CUSP OF A 425.28 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 14°57'19" (CHORD BEARING SOUTH 05°15'51" WEST, 110.69 FEET) TO A 5/8 INCH IRON PIN; THENCE SOUTH 12°44'30" WEST, 83.42 FEET TO A NAIL AND BRASS WASHER IN THE BASE OF A CONCRETE RETAINING WALL; THENCE 15.62 FEET ALONG THE ARC OF A 2277.01 POOT RADIUS CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 00°23'35" (CHORD BEARING SOUTH 12°32'42" EAST, 15.62 FEET) TO THE SOUTHERLY END OF SAID BOUNDARY LINE AGREEMENT, COMMON WITH THE NORTHERLY LINE OF SAID CENTRAL AVENUE, FROM WHICH A NAIL AND BRASS WASHER WITNESS CORNER REFERENCE MONUMENT IN THE TOP OF A CONCRETE RETAINING WALL BEARS NORTH 63°45'33" WEST, 1.00 FEET; THENCE NORTH 63°45'33" WEST. ALONG SAID NORTHERLY LINE, 53.94 FEET TO THE INITIAL POINT OF

> REGISTERED PROFESSIONAL LAND SURVEYOR Jhm-Kmpm

OREGON SHAWN KAMPMANN

RENEWAL DATE: 6/30/2009

I HEREBY CERTIFY THAT THIS PLAT IS AN EXACT COPY OF THE ORIGINAL. Shin- Waynon-

POLARIS LAND SURVEYING

APPROVALS

EXAMINED AND APPROVED THIS 12 DAY OF OCT. ASHLAND CITY SURVEYOR

EXAMINED AND APPROVED THIS AS REQUIRED BY O.R.S. 100.110 AS OF FEBRUARY 8 , 2008

Willie Dokugo Dept. OF ASSESSMENT

ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES AS REQUIRED BY O.R.S. 100.110 HAVE BEEN PAID AS OF February 8, 2008. Karento Mende Deput

RECORDING:

FILED FOR RECORD THIS STADAY OF JULY., 2007 AT 2:28 O'CLOCK P. M AND RECORDED IN VOLUME 34, PAGE 5 OF THE PLAT RECORDS OF JACKSON COUNTY, OREGON Christine O. Walker Jonya J. Morgan

THE DECLARATION OF CONDOMINIUM OWNERSHIP, COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN RECORDED IN INSTRUMENT NO. 2007-08- 4746 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON

THE BYLAWS OF VAIL BUILDING CONDOMINIUM HAVE BEEN RECORDED IN INSTRUMENT NO. 2007- 08 - 4745 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250

PURPOSE: TO CREATE A CONDOMINIUM PLAT FOR "VAIL BUILDING CONDOMINIUM" ON THAT TRACT OF LAND HERBON DESCRIBED, LYING SITUATE WITHIN THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, CITY OF ASHLAND, JACKSON COUNTY, OREGON.

PROCEDURE: UTILIZING AN ELECTRONIC LEICA TCRA 1103 ROBOTIC TOTAL STATION WITH RANGING PRISMS, I SURVEY THE LAND AS SHOWN HEREON. THE SUBJECT PROPERTY BOUNDARY ORIGINATED IN LOTS 2 & 3, BLOCK 29 OF THE CITY OF ASHLAND OFFICIAL MAP OF 1888, AS A RIGHT-OF-WAY FOR THE OREGON & CALIFORNIA RAILROAD COMPANY (LATER TO BECOME SOUTHERN PACIFIC COMPANY) FOR A SPUR TO THE UPTOWN DEPOT, AND INCLUDED ANOTHER SPUR FOR THE ASHLAND ICE AND STORAGE COMPANY. THE HISTORIC DEEDS DESCRIBING THIS RIGHT-OF-WAY IN THE SOUTH HALF OF BLOCK 29
WERE CALLED OUT AS BEING 30 FEET WIDE, FIFTEEN FEET EACH
SIDE OF THE EXISTING TRACK CENTERLINE, WHICH HAVE LONG
SINCE BEEN REMOVED. I RESEARCHED ALL THE AVAILABLE SOUTHERN PACIFIC COMPANY RAILROAD MAPS IN THE CITY OF ASHLAND ENGINEERING DEPARTMENT ARCHIVES, BUT WAS UNABLE TO FIND ANY DIRECT TIES TO SAID BLOCK 29. THE ONLY DOCUMENT THAT I COULD FIND ANY DIRECT TIE WAS FROM THE SOUTHERN PACIFIC COMPANY GRANT TO VAIL DESCRIBED IN PARCEL 2 OF INSTRUMENT NO. 93-12942, WHICH LOCATES THE CENTERLINE OF SAID 30 FOOT WIDE STRIP AS BEING 146 FEET WESTERLY ALONG THE SOUTH HALF OF BLOCK 29 FROM THE NORTHEAST CORNER THEREOF. THENCE RUNNING ALONG A 1175 RADIUS CURVE TO A POINT BEING 214.5 FEET EASTERLY ALONG THE SOUTH LINE OF SAID BLOCK 29 FROM THE SOUTHWEST CORNER THEREOF. THESE DIMENSIONS CORRELATED BY SCALING FROM HISTORIC SOUTHERN PACIFIC TRACK MAPS POUND IN THE CITY ARCHIVES AND THEREFORE I HELD THE DISTANCE CALLS FOR POSITION, BEING THE BEST AVAILABLE EVIDENCE OF THE TRUE LOCATION, ALTHOUGH DIFFERS SOMEWHAT FROM THAT OF MARTIN STEWART IN HIS PERFORMANCE OF SURVEY NO. 15602, ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR. THE NORTHERLY PORTION OF THE WESTERLY SIDE OF THE SUBJECT TRACT IS DESCRIBED AS BEING ALONG THE HELMAN IRRIGATING DITCH, OF WHICH ALSO HAS NO EVIDENCE REMAINING OF IT'S LOCATION EXCEPT FOR DISTANCE CALLS ALONG THE NORTHERLY AND SOUTHERLY LINES OF THAT TRACT OF LAND DESCRIBED WITHIN VOLUME 268, PAGE 443 OF THE DEED RECORDS OF SAID COUNTY WHICH I HOLD FOR POSITION AS THE BEST AVAILABLE EVIDENCE. OVER THE COURSE OF TIME, NUMEROUS **BOUNDARY LINE AGREEMENTS HAVE BEEN EXECUTED TO SETTLE** THE VAGUE BOUNDARY ISSUES IN THIS AREA, WHICH SETTLED THE REMAINDER OF THE LINES.

SURVEYED BY:

POLARIS LAND SURVEYING LLC P.O. BOX 459 ASHLAND, OREGON 97520 (541) 482-5009

> DATE: JUNE 8, 2007 PROJECT NO. 435-07

FILE: SURVEYS\435-07\VAIL BUILDING CONDOMINIUM.DWG SHEET 1 of 4

ELEVATION VIEW

VAIL BUILDING CONDOMINIUM

LYING SITUATE WITHIN

SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR

WES & LUCINDA VAIL

81 CENTRAL AVENUE ASHLAND, OREGON 97520

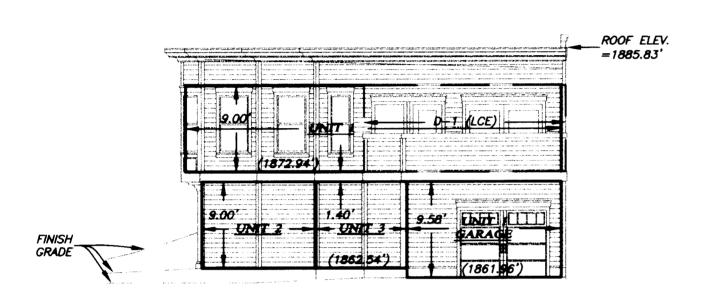
LEGEND

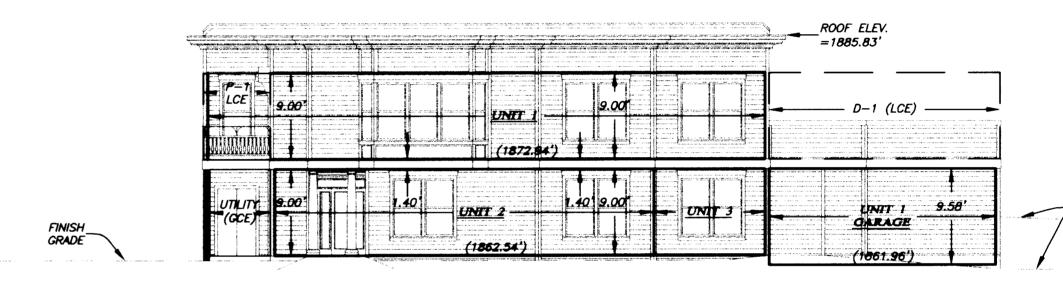
——— UNIT BOUNDARY
—— GENERAL COMMON ELEMENT

GCE GENERAL COMMON ELEMENT
LCE LIMITED COMMON ELEMENT
LCE LIMITED COMMON ELEMENT

SQ. FT. SQUARE FEET

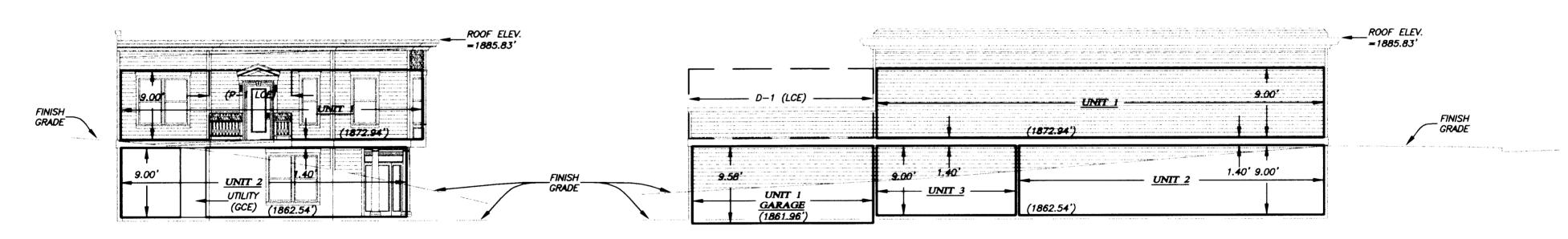
D - # DECK AREA LCE ASSOCIATED WITH UNIT
P - # PATIO AREA LCE ASSOCIATED WITH UNIT
(1872.75') UNIT BOUNDARY ELEVATION (TYPICAL)





NORTHERLY ELEVATION

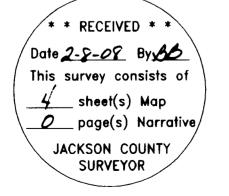
WESTERLY ELEVATION



SOUTHERLY ELEVATION

EASTERLY ELEVATION





I HEREBY CERTIFY THAT THIS PLAT IS AN EXACT COPY OF THE ORIGINAL.

SURVEYOR

SURVEY NOTES

1) ALL ANGLES ARE 90° UNLESS NOTED OTHERWISE.

2) UNIT & LCE VERTICAL BOUNDARIES ARE AS FOLLOWS:

(A) TOP OF PLYWOOD SUBFLOOR FOR ALL UNIT LOWER LIMITS

(B) BOTTOM OF FLOOR JOISTS FOR FIRST FLOOR UPPER LIMITS

(B) BOTTOM OF FLOOR JOISTS FOR FIRST FLOOR UPPER LIMITS
(C) BOTTOM OF ENGINEERED TRUSSES FOR SECOND FLOOR UPPER LIMITS
3) THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS A CITY OF ASHLAND BENCHMARK BEING A BRASS CAP IN THE TOP OF A CONCRETE CURB LOCATED AT THE SOUTHWESTERLY CORNER OF NORTH MAIN STREET AND BUSH STREET. BENCHMARK ELEVATION = 1904.074' BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929, ADJUSTED IN 1956 (NGVD 29/56).

SURVEYED BY:

RENEWAL DATE: 6/30/2009

POLARIS LAND SURVEYING LLC P.O. BOX 459 ASHLAND, OREGON 97520 (541) 482-5009

> DATE: JUNE 8, 2007 PROJECT NO. 435-07

ASSESSOR'S MAP NO. 39 1E 04 CC, Tax Lot 7200

===== POLARIS LAND SURVEYING =====

FILE: SURVEYS\435-07\VAIL CONDOMINIUM.DWG SHEET 4 of 4

FINISH

GRADE

