

MAP OF SURVEY

LYING SITUATE WITHIN
 NORTHWEST QUARTER OF SECTION 16
 & NORTHEAST QUARTER OF SECTION 17
 TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN
 CITY OF ASHLAND, JACKSON COUNTY, OREGON

FOR
Jon & Esther Phelps
 440 Granite Street
 Ashland, Oregon

FLAG	BEARING	DISTANCE
①	S 78°26'48" W	12.03'
	[S 75°00' W]	[111.0']
②	S 25°59'05" W	99.66'
	[S 42°00' E]	[99.66']
③	N 33°59'05" E	102.41'
	[N 34°00' E]	[102.30']
④	N 00°00'55" W	28.38'
	[NORTH]	[28.38']

LEGEND

- ⊕ 3" BRONZE CAPPED IRON PIPE - NORTHEAST CORNER OF SECTION 17 PER S/N 10100 & 12708 (RECOVERED)
- ⊕ 3" BRASS CAPPED QUARTER SECTION CORNER PER JACKSON COUNTY SURVEYOR RE-ESTAB. NOTES (RECOVERED)
- ⊕ 2" IRON PIPE - REFERENCE MONUMENT TO "TRUE" NORTHEAST CORNER OF SECTION 17 PER S/N 10100 & 12708 (RECORDED)
- ⊕ 3" CITY OF ASHLAND BRASS CAP IN MONUMENT WELL PER PER S/N 8239, 10100 & 12708 (RECOVERED)
- ⊕ 1/2" OR 3/4" IRON PIPE IN CITY OF ASHLAND MONUMENT WELL S/N 7581, 8239, 10100 & 12708 (RECOVERED)
- ⊕ 5/8" IRON PIN - NO MARKINGS - PER S/N 4056 (RECOVERED)
- ⊕ 3/4" IRON PIPE IN CONCRETE PER S/N 4056 (RECOVERED)
- ⊕ 3/8" x 3" STAINLESS STEEL SPIKE w/ 2" BRASS WASHER MARKED "POLARIS LAND SURVEYING - PLS 2883" (ESTABLISHED)
- ⊕ 5/8" x 24" IRON PIN w/ ORANGE PLASTIC CAP MARKED "KAMPMANN PLS 2883" (ESTABLISHED)
- PROPERTY LINE
- BOUNDARY LINE
- CENTERLINE
- PREVIOUS DEED LINE
- - - FENCELINE
- - - CREEK BANK
- - - DITCH LINE
- S/N SURVEY FILE NUMBER, JACKSON COUNTY SURVEYOR
- O.R. OFFICIAL RECORDS, JACKSON COUNTY RECORDER
- D.R. DEED RECORDS, VOLUME/PAGE JACKSON COUNTY RECORDER
- W.C. WITNESS CORNER REFERENCE MONUMENT, AS DESCRIBED
- M-M MONUMENT TO MONUMENT MEASURED DISTANCE
- [] DEED RECORD DATA PER D.R. 145/465, 244/286, 281/360 & 281/361
- () SURVEY RECORD DATA PER S/N 7581, 8239, 10100 & 12708
- { } SURVEY RECORD DATA PER S/N 4056

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE CENTERLINE OF GRANITE STREET IN THE CITY OF ASHLAND, HAVING A RECORD PLAT BEARING OF NORTH 25°26'13" WEST, AS REFERENCED ON SURVEY NO. 8239 & 19772, ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

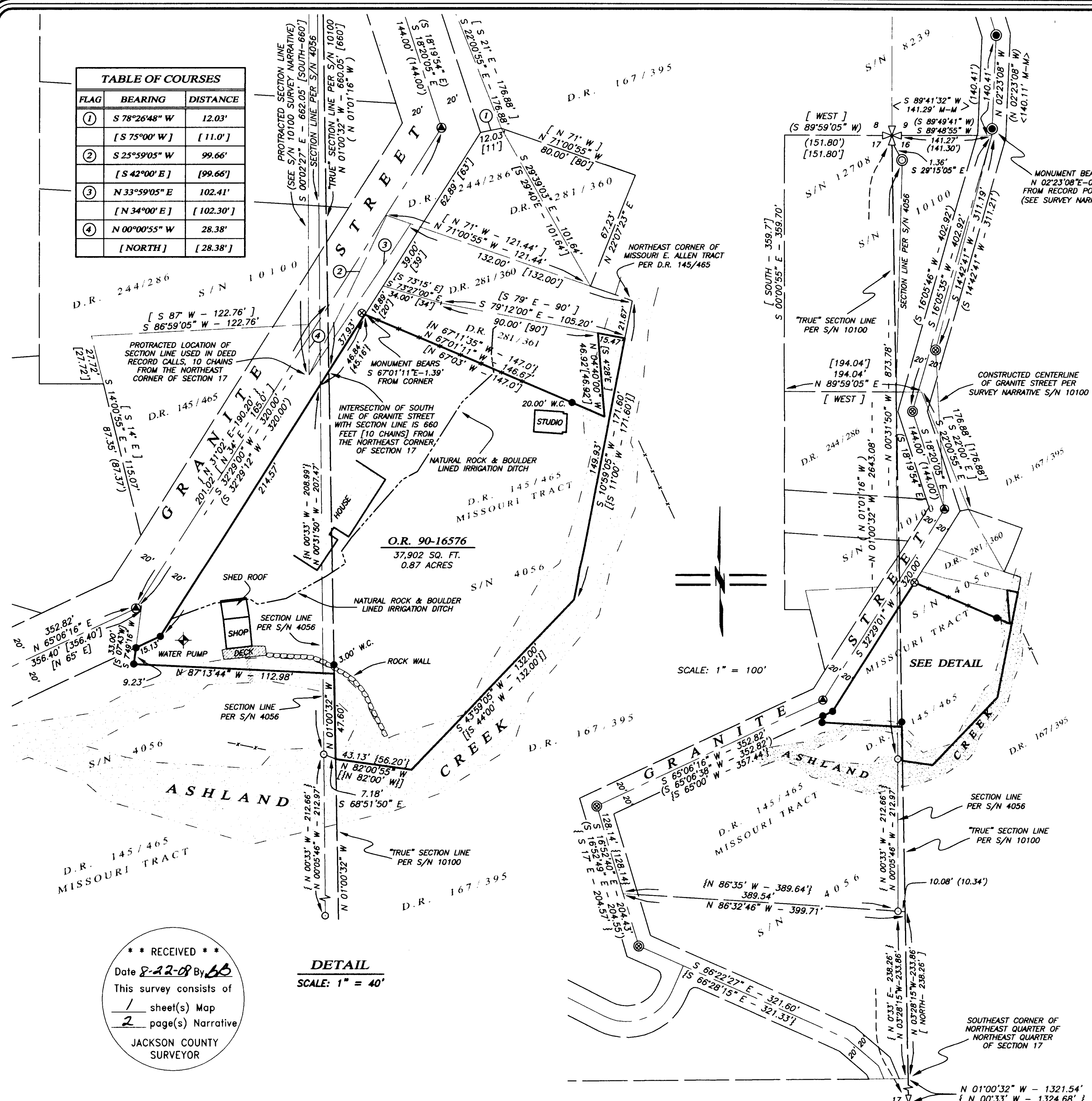
Shawn Kampmann

OREGON
 JULY 14, 1998
 SHAWN KAMPMANN
 2883 LS

RENEWAL DATE: 6/30/2009

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

DATE: AUGUST 16, 2008
 PROJECT NO. 505-08



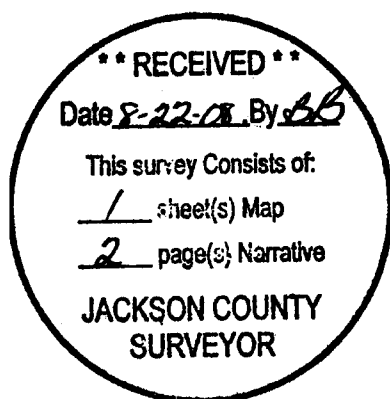
**** RECEIVED ****
 Date 8-22-08 By bb
 This survey consists of
 / sheet(s) Map
 2 page(s) Narrative
 JACKSON COUNTY
 SURVEYOR

DETAIL
 SCALE: 1" = 40'

SCALE: 1" = 100'

established the Quarter corner in the correct, original location. Ager's survey No. 4056 was performed in 1969, in between the mentioned BLM surveys, but he notes the corner was not found, and used a point he establishes from bearing trees which may have been the new bearing trees incorrectly established by White. This may account for the difference found by this survey of what is shown on this map as the "true" section line and Ager's Survey No. 4056 section line. Since the portion of the Missouri Allen tract lying within Section 17 is described from the southeast corner of the Northeast Quarter of the Northeast Quarter of Section 17 (an aliquot part), utilizing the wrong sectional corners on an incorrect north-south line would cause significant disparities, as discovered in the performance of this survey. Fortunately, the portion of the Missouri Allen tract lying within Section 17 of the current subject property described within Instrument No. 90-16576) is described by metes and bounds from a point on the centerline of Granite Street and terminates on the section line, therefore does not affect the location of the south line of the subject property.

The portion of the Missouri Allen tract lying east of the section line and abutting that tract described in Deed Record Volume 244, Page 286 to the north, is described as beginning at the Northeast Corner of Section 17 and thence running South along the section line a distance of ten chains (660 feet), thence running by metes and bounds in a clockwise direction until terminating back on the section line, south of the point of beginning, but does not close on itself mathematically by a gap of over twenty feet, nor does it fall in harmony with the surveyed locations of the street, creek, or other site improvements. Therefore, I compute the legal description of the adjoiner tract to the north described in said Volume 244, Page 286, of which first three deed calls run West, South and East in cardinal directions, thence South 22° East, to a point where I believe the two deeds intend to intersect. From there the remaining deed calls along the common boundary are identical in bearing and distance which indicates to me that the intention was to be a common line. When I rotate the description of this portion the Missouri Allen tract from the Northeast Corner of Section 17 to run in the cardinal direction of South instead of following along the East line of the section between said monumented Northeast Corner and the East Quarter Corner, then it brings the Missouri Allen tract into harmony and almost perfect conformity with said northerly adjoiner described in Volume 244, Page 286. Additionally, the parcels excepted out of the Missouri Allen tract that are described in Deed Record Volume 281, Pages 360 & 361, also share deed calls with both Volume 244, Page 286 (adjoiner) and Volume 145, Page 465 (Missouri Allen tract), as well as calls to Granite Street, and match to within a tenth of a foot (0.10 feet) with the "rotated" Missouri Allen description. With this, I come to the determination that the original deed calls for the original parent tracts in the Northeast Quarter of Section 17 were based on cardinal "protracted" section lines, and not along the section line later surveyed between the Northeast corner and East Quarter corner. My research of the original General Land Office (GLO) surveys of Township 39 South, Range 1 East, also supports Everett Swain's analysis in his Narrative for Survey No. 10100 that land in this quarter section was originally conveyed based on a protracted section, and which is also supported by how the deeds and street improvements fit together.



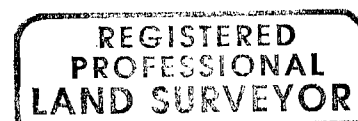
BASIS OF BEARING: The Basis of Bearing for this survey was the centerline of Granite Street, having a record plat bearing of South 25°26'13" East as referenced on Survey No. 8329 & 19772, on file in the office of the Jackson County Surveyor.

DATE: August 16, 2008

PREPARED BY: Shawn Kampmann,
Professional Land Surveyor

POLARIS LAND SURVEYING, LLC
P.O. Box 459
Ashland, Oregon 97520

(541) 482-5009



Shawn Kampmann



RENEWAL DATE: 6/30/09

SURVEY NO. _____

**SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES**

SURVEY FOR: Jon & Esther Phelps
440 Granite Street
Ashland, Oregon 97520

LOCATION: The Northwest Quarter of Section 16 & Northeast Quarter of Section 17,
Township 39 South, Range 1 East, Willamette Meridian, City of
Ashland, Jackson County, Oregon.

PURPOSE: To survey and monument that tract of land described within Instrument
No. 90-16576 of the Official Records of Jackson County, Oregon, also
being a portion of the Missouri E. Allen tract recorded on August 9, 1923
in Volume 145, Page 465 of the Deed Records of said County.

PROCEDURE: Utilizing an electronic Leica TCRP 1203 robotic Total Station and
ranging prisms, in conjunction with Ashtech Promark 2 survey grade
Global Positioning Satellite (GPS) receivers to establish the project
survey control network, I locate and tie City of Ashland street centerline
monuments along Granite Street, monuments recovered from Survey
No.'s 4056, 8239, 10050, & 12708, filed in the office of the Jackson
County Surveyor, and the Northeast corner and the East Quarter corner
of Section 17, as shown hereon.

The subject property straddles the line common to Sections 16 and 17 and is located in a portion of the Missouri E. Allen tract described within Deed Record Volume 145, Page 465, being bounded on the north side by that tract described in Deed Record Volume 244, Page 286, on the east by that tract described within Deed Record Volume 167, Page 395, a remainder of the Missouri Allen tract along the south and Granite Street along the west. The subject property and the above referenced adjoiners shared many calls in their deed descriptions along their common boundaries which indicated to me that the intent of these deeds does not create any deed gaps or overlaps. Unfortunately, there were significant disparities encountered in laying out the deed locations on the ground due to a number of different factors which I will outline as follows. The primary issue encountered involves calls made to the disputed location of the East line of Section 17, as well as errors perpetuated over the years as to the actual "true" location of the Northeast corner and the East Quarter corner of Section 17. For the Northeast corner of Section 17, some previous surveys which included Ager's 1969 survey of the subject property (Survey No. 4056), had utilized the location of a two inch iron pipe for the corner position, whereas, according to historic testimony, the pipe was only a reference marker to the original stone buried at the actual corner position found by City of Ashland Surveyor M.L. McCall prior to 1888 (see Everett Swain's survey narrative for filed Survey No. 10100).

Additionally, the East Quarter corner of Section 17 was re-established in the wrong location by U.S. Bureau of Land Management (BLM) cadastral surveyor C. Albert White in 1960, and a Corrective Dependent Resurvey was performed by Lynn Roseberry of BLM in 1976 which re-

