

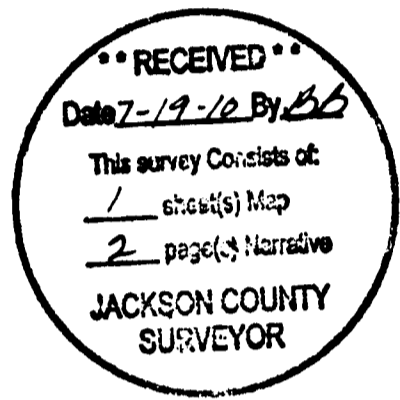
# MAP OF SURVEY

FOR  
 MICHAEL SHORE AND KAREN HORN  
 140 CLAY STREET  
 ASHLAND, OREGON 97520

LOCATED IN  
 THE SOUTHWEST QUARTER OF SECTION 11  
 TOWNSHIP 39 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN,  
 JACKSON COUNTY, OREGON

## BASIS OF BEARING

THE CENTERLINE OF CLAY STREET, BETWEEN BIRCHWOOD LANE  
 AND EAST MAIN STREET AS SHOWN ON FILED SURVEY NO. 17969.

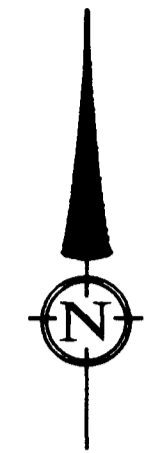
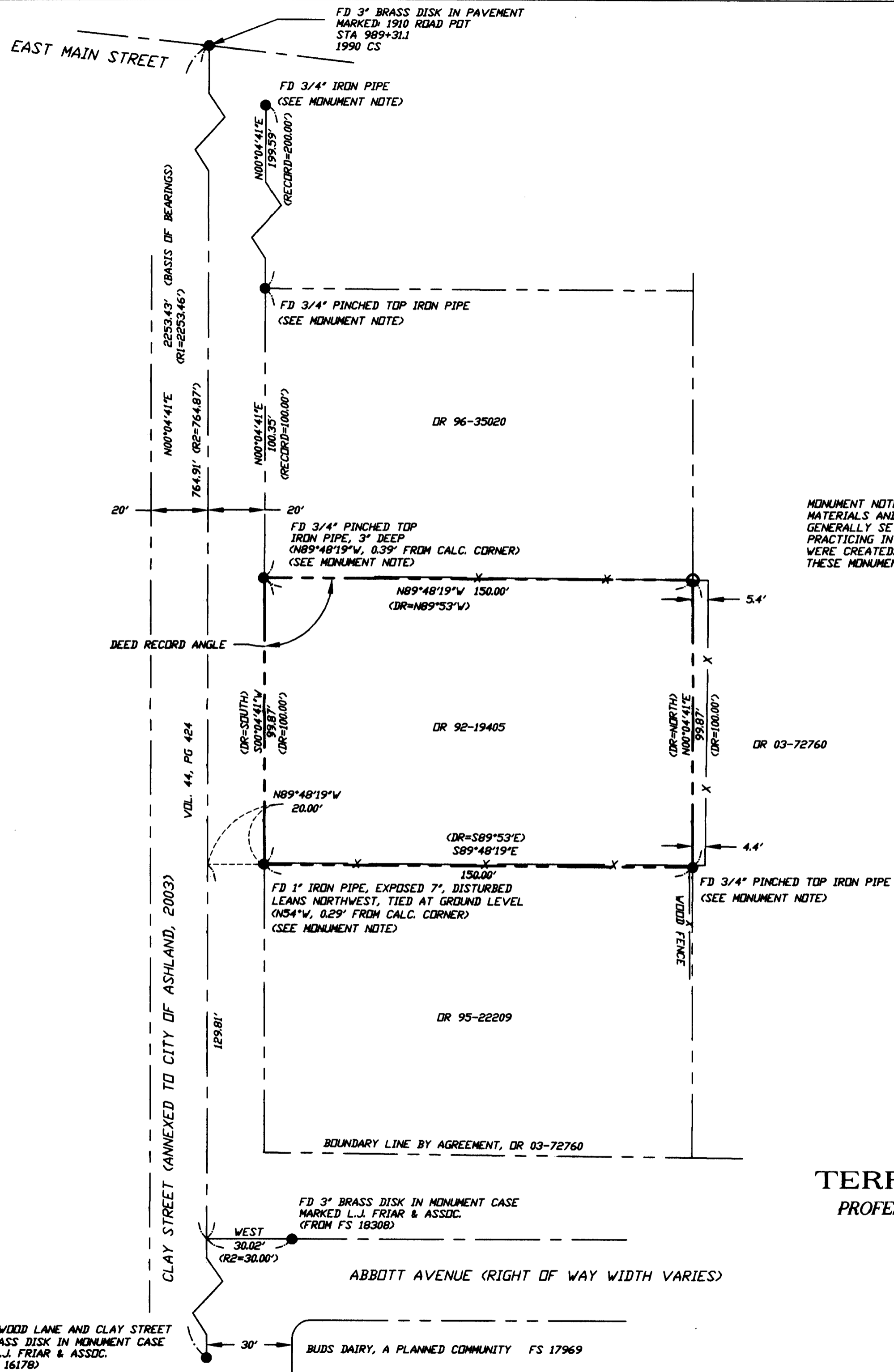


## LEGEND

- SURVEYED PROPERTY LINES
- ADJACENT PROPERTY LINES
- STREET CENTERLINE
- x- WIRE FENCE (UNLESS OTHERWISE NOTED)
- SET 5/8" X 30" IRON PIN W/CAP MARKED DSMUS, PLS 2464
- FOUND MONUMENT AS NOTED
- FS FILED SURVEY
- DR- OFFICIAL RECORDS, JACKSON COUNTY, OREGON
- VOL. PG. DEED RECORDS, JACKSON COUNTY, OREGON
- FD FOUND

## REFERENCES

- (R1) RECORD BEARINGS / DISTANCES FROM FS 17969
- (R2) RECORD BEARINGS / DISTANCES FROM FS 18308 (BUDS DAIRY, A PLANNED COMMUNITY)
- (DR) DEED RECORD BEARINGS / DISTANCES FROM DR 92-19405



SCALE: 1" = 30'  
 DATE OF SURVEY: JULY 13, 2010

MONUMENT NOTE: THESE MONUMENTS ARE SIMILAR IN MATERIALS AND POSITIONAL ACCURACY TO THOSE GENERALLY SET BY SURVEYOR L.E. AGER, WHO WAS PRACTICING IN THIS AREA AT THE TIME THESE LOTS WERE CREATED. NO MAP OF SURVEY WAS FOUND FOR THESE MONUMENTS.



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 PROFESSIONAL LAND SURVEYORS  
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 ASHLAND, OREGON 97520  
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 terrasurveyinc.com

INTERSECTION OF BIRCHWOOD LANE AND CLAY STREET  
 FD 3" BRASS DISK IN MONUMENT CASE  
 MARKED L.J. FRIAR & ASSOC.  
 (FROM FS 16178)

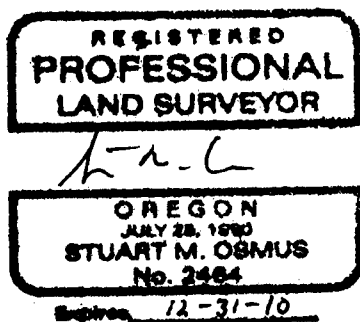
BUDS DAIRY, A PLANNED COMMUNITY FS 17969

and fences shown on previous surveys are approximately 20 feet from centerline, reinforcing the existence of a forty foot wide right of way.

After this research, I returned to the site and began looking for monuments. In addition to the iron pipe mentioned above, I found an open top iron pipe and two crimped top iron pipes along Clay Street and a crimped top iron pipe at the southeast corner of my client's parcel. The crimped top iron pipe is a "signature" of the aforementioned surveyor L.E. Ager, who practiced in this area of the valley at the time these parcels were created, and the crimp resulted from the method he used to cut his pipes. The distances between the pipes matched the deed records reasonably well and are typical of the tolerances found in Mr. Ager's work. I was unable to find field notes or an unrecorded survey for these parcels but the notes and surveys are currently filed under the names of Mr. Ager's clients and he may not have been working for the property owner at the time. Given the evidence found, including existing lines of occupation, it is this surveyor's opinion that Mr. Ager surveyed, monumented and prepared legal descriptions for the seven parcels which lie north of Abbott Avenue and along the east line of Clay Street. The legal descriptions begin at a point on the line between the East and West halves of Section 11, 29.85 chains North of the South line of said Section 11. At the time of Mr. Ager's survey, there was probably a monument for this point but nothing was shown here in subsequent surveys. The east line of the parcels is 150 feet from the east line of Clay Street and, with measurements from adjacent surveys and fence locations, once again reinforces a forty foot wide right of way.

To set the northeast corner of my client's parcel, I held the 150 foot distance from the east line of Clay Street and deed record angle from the found pipe at the northwest corner.

July 19, 2010



Stuart M. Osmus,  
PLS 2464  
Terrasurvey, Inc.  
274 Fourth Street  
Ashland, Oregon 97520

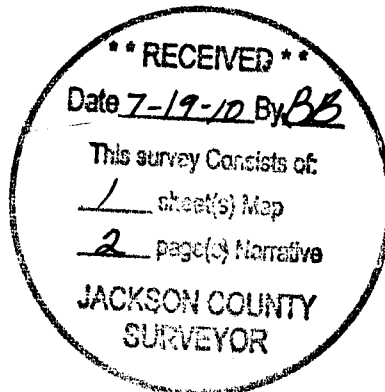
**SURVEY NARRATIVE  
TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES**

**DATE OF SURVEY:**

April 30, 2010

**SURVEYED BY:**

Terrasurvey, Inc.  
274 Fourth Street  
Ashland, Oregon 97520



**SURVEY FOR:**

Michael Shore and Karen Horn  
140 Clay Street  
Ashland, Oregon 97520

**LOCATION:**

Located in the Southwest Quarter of Section 11, Township 39 South, Range 1 East, Willamette Base and Meridian, Jackson County, Oregon.

**PURPOSE:**

To survey and monument a tract described in Document No. 92-19405, Official Records, Jackson County, Oregon.

**BASIS OF BEARINGS:**

The reference line for bearing control for this survey was taken from monuments found on the centerline of Clay Street, as shown on Filed Survey No. 17969.

**PROCEDURE:**

In my initial research before taking on this project, I noticed a number of boundary line agreements in the area of my client's parcel. I felt that agreements to existing fence lines might be required to define the property boundaries. But, as I made first site visit, I noticed an iron pipe near the west end of the fence, south of my client's house. The pipe was about 20 feet from the centerline of Clay Street which conflicted with the 60 foot wide right of way as shown on the tax maps and adjacent surveys. At this point, I began investigating the history of the Clay Street right of way. My findings are as follows:

In June of 1889, a Mr. James Luark and Wife dedicated to the Public a 60 foot wide strip of land for road purposes (Volume 11, Page 132, Deed Records). The described strip of land begins on the south line of Section 11 and goes southerly for forty chains. This is the portion of Clay Street which lies south of Ashland Street (Highway 66).

In March of 1901, a Mr. W. W. Erb dedicated to the Public a 40 foot wide strip of land for the purpose of a public highway (Volume 44, Page 424, Deed Records). This strip of land begins on the south line of Section 11 and goes north to intersect what is now East Main Street. My Client's property fronts on this portion of the road. In January of 1961, surveyor L.E. Ager created four parcels along the west side of the north portion of Clay Street (Survey No. 1628). He shows the right of way width at 40'. In January of 1964, Mr. Ager returned to the same four parcels and, to allow for road widening, he moved all of the monuments 10 feet westerly, although he still shows a 40 foot wide right of way in this area (Survey No. 2400).

In November of 1971, surveyor Gregory Lancaster, while working in the same area as Mr. Ager, finds monuments which are 20 feet from centerline but sets pins at thirty feet from centerline based on the 1889 dedication (Survey No. 4665). I believe Mr. Lancaster was in error as the 1889 Deed does not extend into Section 11. Subsequent surveyors in this area have, apparently after finding monuments from Ager and Lancaster at 30 feet from centerline, perpetuated the error along both sides of Clay Street. To confound the issue, some County Road records and Assessor's tax Maps show a 60 foot wide right of way. Survey No. 17969, which is a Map showing property to be annexed into the City of Ashland, shows a 60 foot wide strip for Clay Street, including the area in front of my client's property. In my research, I did not find additional dedications of right of way for parcels in this area. Existing fences in this area