DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, THAT KAY BUILDING PROPERTIES, LLC, AN OREGON LIMITED LIABILITY COMPANY, IS THE OWNER OF THE LANDS HEREON DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE AND DOES HEREBY DECLARE THAT THE PROPERTY AND IMPROVEMENTS CALLED HEREIN, KAY BUILDING CONDOMINIUM, ARE TRUE AND CORRECT, AND DOES 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 CHAPTER 100.005 TO 100.625.

> STUART ALLAN, MEMBER KAY BUILDING PROPERTIES, LLC

JOHN BATZER, MEMBER KAY BUILDING PROPERTIES, LLC

ACKNOWLEDGEMENT

STATE OF OREGON JACKSON COUNTY

PERSONALLY APPEARED THE ABOVE NAMED STUART ALLAN, ON AUTHORITY OF KAY BUILDING PROPERTIES, LLC, ON THIS 12 DAY OF COMPANY ACT AND ACKNOWLEDGED THE FORGOING TO BE HIS VOLUNTARY ACT AND DEED.

431330

NOTARY SIGNATURE . NOTARY PUBLIC - OREGON

9.7.2012 MY COMMISSION EXPIRES

ACKNOWLEDGEMENT

STATE OF OREGON

COMMISSION NO.

JACKSON COUNTY

PERSONALLY APPEARED THE ABOVE NAMED JOHN BATZER, ON AUTHORITY OF KAY BUILDING PROPERTIES, LLC, ON THIS 23 DAY OF DECEMBEL, 2010 AND ACKNOWLEDGED THE FORGOING TO BE HIS VOLUNTARY ACT AND DEED.

NOTARY SIGNATURE __

NOTARY PUBLIC - OREGON

431330 COMMISSION NO.

9.7.2012 MY COMMISSION EXPIRES

SURVEYORS CERTIFICATE OF COMPLETION

IN ACCORDANCE WITH O.R.S. 100.115(1d), I, SHAWN KAMPMANN, A REGISTERED PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THE PLAT OF "KAY 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 20th DAY OF December , 2010.

Shawa Kampanan, PLS 2883

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

Assessor's Map No. 37 1W 30 BC, Tax Lots 3700, 3800 & 3900

KAY BUILDING CONDOMINIUM

LYING SITUATE WITHIN

NORTHWEST QUARTER OF SECTION 30 TOWNSHIP 37 SOUTH, RANGE ! WEST, WILLAMETTE MERIDIAN CITY OF MEDFORD, JACKSON COUNTY, OREGON

STUART ALLAN

28 & 34 SOUTH FIR STREET MEDFORD, OREGON 97501

SHEET INDEX

SHEET 1 SIGNATURE SHEET

SHEET 2 PLAT BOUNDARY SHEET 3 PLAN VIEW (GROUND FLOOR)

SHEET 4 PLAN VIEW (SECOND FLOOR)
SHEET 5 ELEVATION VIEW (NORTHERLY AND WESTERLY)

SHEET 6 ELEVATION VIEW (SOUTHERLY AND EASTERLY)

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

PURPOSE: TO CREATE A CONDOMINIUM PLAT "KAY BUILDING CONDOMINIUM" OVER THAT

TRACT OF LAND DESCRIBED WITHIN INSTRUMENT NO. 2010-005332 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, LYING SITUATE WITHIN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 37 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE CITY OF MEDFORD, JACKSON COUNTY, OREGON.

PROCEDURE: UTILIZING AN ELECTRONIC LEICA TCRA 1203 ROBOTIC TOTAL STATION WITH RANGING PRISMS, IN CONJUNCTION WITH SURVEY CONTROL ESTABLISHED IN THE PERFORMANCE OF SURVEY NO. 20072 FOR THE ACME BUILDING CONDOMINIUM BY THIS OFFICE, I SURVEY THE LAND AS SHOWN HEREON. THE SUBJECT PROPERTY IS DESCRIBED AS LOTS ONE (1) THRU SEVEN (7), BLOCK 45 OF THE TOWNSITE PLAT OF THE CITY OF MEDFORD RECORDED MAY 4, 1888. NO FILED SURVEYS OF RECORD OTHER THAN THE ORIGINAL TOWNSITE PLAT WERE FOUND WITHIN BLOCK 45, SO I RETRACE THE CITY BLOCK BOUNDED BY WEST MAIN, EIGHTH, FIR & GRAPE STREETS UTILIZING CITY OF MEDFORD STREET CENTERLINE REFERENCE MONUMENTS, AS WELL AS MONUMENTS RECOVERED AS DENOTED ON SURVEY NO. 13529, 20072 & 20170 TO DETERMINE THE BLOCK CORNERS, WHICH FIT VERY WELL WITH PREVIOUSLY REFERENCED SURVEY RECORDS. FROM THIS INFORMATION, I CALCULATE THE LOT BOUNDARIES WITHIN BLOCK 45 BY METHOD OF PROPORTIONATE MEASUREMENT AGAINST THE TOWNSITE PLAT RECORD. THE KAY BUILDING CONDOMINIUM BOUNDARY WAS THEN MONUMENTED AS SHOWN. MINOR ENCROACHMENTS OF THE EXTERIOR BUILDING WALLS NOT EXCEEDING TWO INCHES INTO CITY OF MEDFORD RIGHTS-OF-WAY ARE DENOTED AS SHOWN ON SHEET 3 HEREIN. THE NORTHWESTERLY WALL OF THE KAY BUILDING APPEARS TO HAVE BEEN CONSTRUCTED AS A SHARED COMMON WALL WITH THE ABUTTING BUILDING OF THE SAME ERA, BUILT APPROXIMATELY 100 YEARS AGO, AND EVIDENCED BY THE FACT THAT IT ALMOST EVENLY STRADDLES THE UNDERLYING LOT LINE DIVIDING LOTS 7 AND 8 OF SAID BLOCK 45. THIS METHOD OF CONSTRUCTION IS TYPICALLY FOUND IN THE HISTORIC DOWNTOWN AREAS OF MEDFORD AND ASHLAND, INCLUDING OTHER BUILDINGS IN SAID BLOCK 45. ALTHOUGH A RECORDED PARTY WALL AGREEMENT WAS NOT FOUND IN THE TITLE SEARCH, IT IS MY PROFESSIONAL OPINION THAT IT WAS LIKELY CONSTRUCTED AND USED WITH THAT INTENTION.

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 HEREON SHOWN, THIS SAID PLAT BEING A CORRECT REPRESENTATION OF THE SAME, AND THE FOLLOWING IS AN ACCURATE DESCRIPTION OF THE BOUNDARY LINES:

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), SIX (6) AND SEVEN (7), BLOCK FORTY-FIVE (45), OF THE TOWN (NOW CITY) OF MEDFORD, JACKSON COUNTY, OREGON, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED IN VOLUME 16, PAGE 10, PLAT RECORDS.

SURVEY NOTES:

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

1. THE EFFECT OF BEING WITHIN THE BOUNDARIES OF THE CITY OF MEDFORD URBAN RENEWAL PLAN KNOWN AS THE CITY CENTER REVITALIZATION PLAN AS SET OUT IN THE CITY OF MEDFORD ORDINANCE NO. 6213, RECORDED OCTOBER 27, 1988 AS NO. 88-22899, AND RESOLUTION NO. 89-1 OF THE BOARD OF DIRECTORS OF THE MEDFORD URBAN RENEWAL AGENCY, RECORDED FEBRUARY 9, 1989 AS NO. 89-02813, AND AS AMENDED BY ORDINANCE NO. 6962 OF THE CITY OF MEDFORD RECORDED AUGUST 28, 1991 AS NO. 91-20504, AND AS FURTHER AMENDED AS NO. 2006-046131, OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON (ORJCO).

2. ASSIGNMENT OF LEASES AND RENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED MAY 1, 2002 AS NO's. 02-24339 ORJCO.

3. ASSIGNMENT OF RENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED FEBRUARY 11, 2008 AS NO's. 2008-004813 AND 2008-004812 ORJCO.

4. UNRECORDED LEASE, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED MAY 5, 2008 AS NO. 2008-016808 ORJCO.

5. OPTION AGREEMENT AND THE TERMS AND CONDITIONS THEREOF BETWEEN STUART ALLAN, DBA ALLAN CARTOGRAPHY AND JOHN BATZER RECORDED AS NO. 2008-016809 ORJCO.

6. ASSIGNMENT OF RENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, RECORDED MARCH 25, 2010 AS NO's. 2008-004813 AND 2010-009558

POLARIS LAND SURVEYING

APPROVALSY EXAMINED AND APPROVED THIS DAY OF DOWN PR. 2010 MEDFORD CITY SURVEYOR

EXAMINED AND APPROVED AS REQUIRED BY O.R.S. 100.110 AS OF DECEMBER 29

ALL TAXES, FEES, ASSESSMENTS, OR OTHER CHARGES AS REQUIRED BY O.R.S. 100.110 HAVE BEEN PAID AS OF 12 129

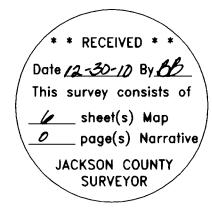
RECORDING:

FILED FOR RECORD THIS 30 DAY OF DECEMBER, 2010 AT 8:320'CLOCK AM AND RECORDED IN VOLUME 36, PAGE /3, OF THE PLAT RECORDS OF JACKSON COUNTY, OREGON.

CHRISTINE WALKER KAREN ALONZO COUNTY CLERK DEPUTY

THE DECLARATION OF CONDOMINIUM OWNERSHIP, COVENANTS, CONDITIONS AND RESTRICTIONS HAS BEEN RECORDED IN INSTRUMENT NO. 2010-042961 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON

THE BYLAWS OF THE KAY BUILDING CONDOMINIUM HAVE BEEN RECORDED IN INSTRUMENT NO. 2010- 042961 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.



REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON SHAWN KAMPMANN

RENEWAL DATE: 6/30/2011

SURVEYED BY:

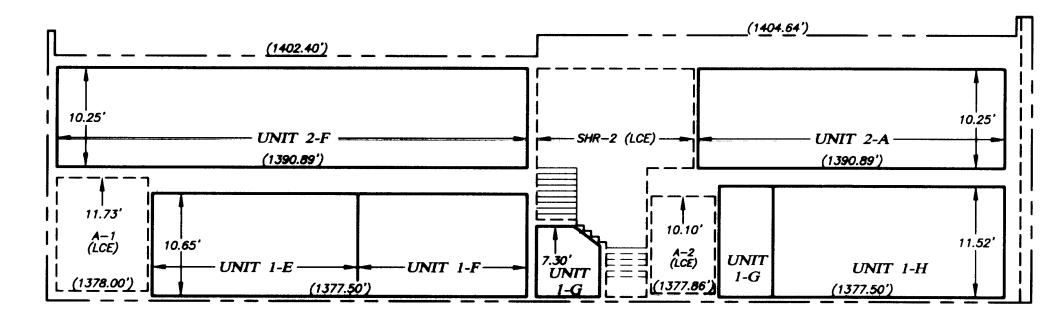
POLARIS LAND SURVEYING LLC P.O. BOX 459 ASHLAND, OREGON 97520 (541) 482-5009

> DATE: NOVEMBER 21, 2010 PROJECT NO. 552-09

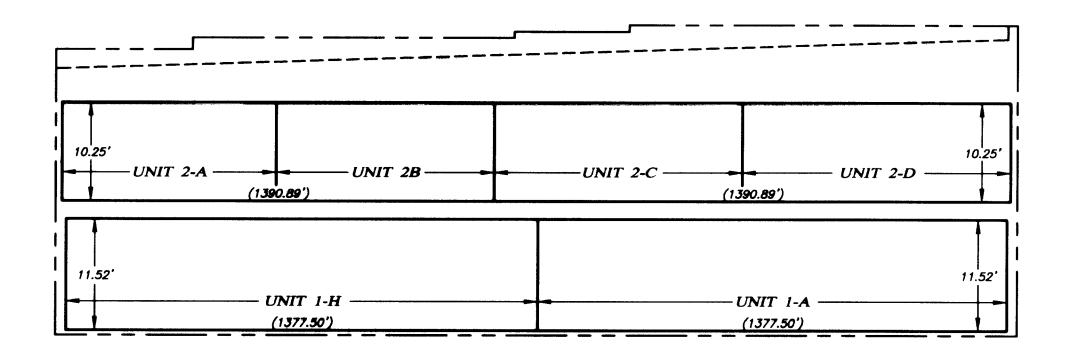
FILE: SURVEYS\552-09\KAY CONDOMINIUM.DWG

SHEET 1 of 6

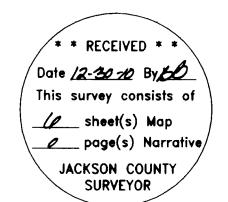
ELEVATION VIEW



SOUTHERLY ELEVATION



EASTERLY ELEVATION



Assessor's Map No. 37 1W 30 BC, Tax Lots 3700, 3800 & 3900

= POLARIS LAND SURVEYING ===

KAY BUILDING CONDOMINIUM

LYING SITUATE WITHIN

NORTHWEST QUARTER OF SECTION 30 TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN CITY OF MEDFORD, JACKSON COUNTY, OREGON

STUART ALLAN

28 & 34 SOUTH FIR STREET MEDFORD, OREGON 97501

LEGEND

EXTERIOR MASONRY WALL UNIT BOUNDARY GCE BOUNDARY LCE BOUNDARY

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

SOUARE FEET SQ. FT. STAIR AREAS, HALLWAYS AND RESTROOMS (LCE) AS DESCRIBED SHR - 2 ACCESS AREA (LCE) AS DESCRIBED

NOTES

1) ALL ANGLES ARE 90° UNLESS NOTED OTHERWISE.
2) THE HORIZONTAL UNIT DIMENSIONS ARE MEASURED TO THE INSIDE FACE OF THE EXPOSED MASONRY WALL AND THE WOOD STUD FRAMED WALLS.

3) UNIT & LCE VERTICAL BOUNDARIES ARE AS FOLLOWS: (A) TOP OF CONCRETE FLOOR FOR FIRST FLOOR UNITS LOWER LIMITS
(B) BOTTOM OF MAIN WOOD BEAMS FOR GROUND LEVEL UPPER LIMITS
(C) TOP OF PLYWOOD SUBFLOOR FOR SECOND LEVEL LOWER LIMITS

(C) BOTTOM OF CEILING JOISTS FOR SECOND LEVEL UPPER LIMITS

(D) BOTTOM OF CEILING JOISTS FOR SECOND LEVEL UPPER LIMITS

4) ALL OF THE LAND IS GCE EXCEPT FOR UNITS AND LCE'S SHOWN HEREON.

5) THE BASIS OF VERTICAL CONTROL FOR THIS SURVEY IS THE CITY OF MEDFORD

BENCHMARK "J-7", A 3 1/2" DIAMETER U.S. COAST & GEODETIC SURVEY (U.S.C.G.S.) BRASS CAP SET IN THE TOP OF A CONCRETE POST, LOCATED ON THE NORTHERLY CORNER OF THE INTERSECTION OF THE CENTRAL OREGON & PACIFIC RAILROAD AND WEST SIXTH STREET. BENCHMARK ELEVATION = 1375.00' BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 29). NOTE: BENCHMARK "J-7" HAS SINCE BEEN DESTROYED BY CONSTRUCTION.

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

Show Krimmen

SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

Show-Krompmin

OREGON SHAWN KAMPMANN 2003 LS

RENEWAL DATE: 6/30/2011

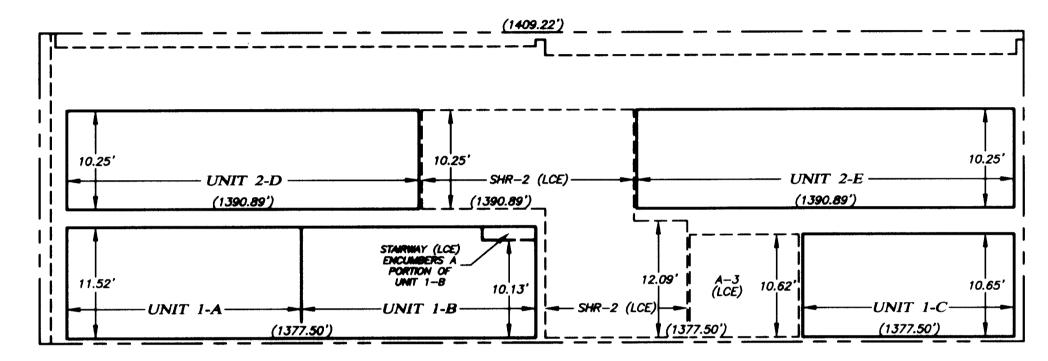
SURVEYED BY:

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

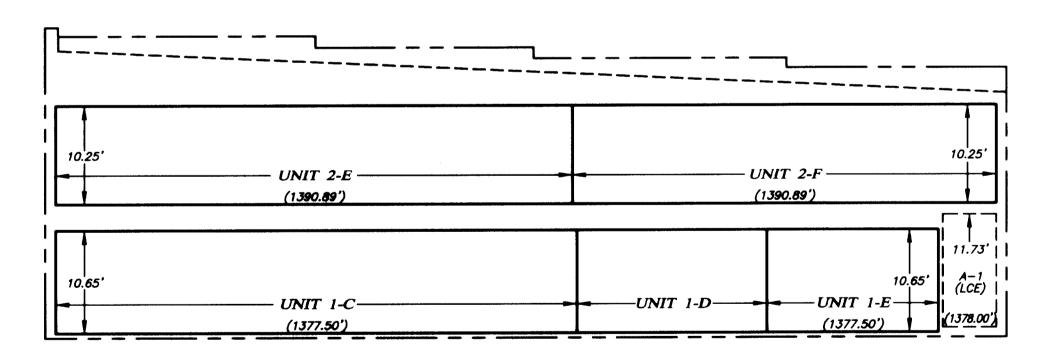
> DATE: NOVEMBER 21, 2010 PROJECT NO. 552-09

FILE: SURVEYS\552-09\KAY CONDOMINIUM.DWG SHEET 6 of 6

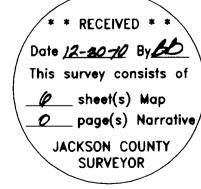
ELEVATION VIEW



NORTHERLY ELEVATION



WESTERLY ELEVATION



Assessor's Map No. 37 1W 30 BC, Tax Lots 3700, 3800 & 3900

= POLARIS LAND SURVEYING ==

KAY BUILDING CONDOMINIUM

LYING SITUATE WITHIN

NORTHWEST QUARTER OF SECTION 30 TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN CITY OF MEDFORD, JACKSON COUNTY, OREGON

STUART ALLAN

28 & 34 SOUTH FIR STREET MEDFORD, OREGON 97501

LEGEND

EXTERIOR MASONRY WALL UNIT BOUNDARY

GCE BOUNDARY LCE BOUNDARY

GCE GENERAL COMMON ELEMENT LIMITED COMMON ELEMENT LCE

SQUARE FEET

SQ. FT. STAIR AREAS, HALLWAYS AND RESTROOMS (LCE) AS DESCRIBED SHR - 2 ACCESS AREA (LCE) AS DESCRIBED

NOTES

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

SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON

JULY 14, 1998 SHAWN KAMPMANN 2883 LS

RENEWAL DATE: 6/30/2011

SURVEYED BY:

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

> DATE: NOVEMBER 21, 2010 PROJECT NO. 552-09

FILE: SURVEYS\552-09\KAY CONDOMINIUM.DWG SHEET 5 of 6

KAY BUILDING CONDOMINIUM **PLAN VIEW** LYING SITUATE WITHIN **NORTHWEST QUARTER OF SECTION 30** TOWNSHIP 37 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN CITY OF MEDFORD, JACKSON COUNTY, OREGON STUART ALLAN 28 & 34 SOUTH FIR STREET 0.70'n 1.08 MEDFORD, OREGON 97501 SHR-2 (LCE) ر.382 1.00° **NOTES** UNIT 2-D 1) ALL ANGLES ARE 90° UNLESS NOTED OTHERWISE. 2) EXTERIOR BUILDING DIMENSIONS ARE MEASURED TO THE OUTSIDE OF THE MASONRY WALLS. 1018 SQ. FT. MASUNKY WALLS. 3) THE HORIZONTAL UNIT DIMENSIONS ARE MEASURED TO THE INSIDE FACE OF THE EXPOSED MASONRY WALLS AND THE EXISTING WOOD STUD FRAMED WALLS. WHERE INTERIOR WALLS BETWEEN UNITS SHOWN HEREON HAVE NOT BEEN CONSTRUCTED, THE UNIT BOUNDARY WILL BE TO THE UNIT DIVISION LINES AS DENOTED ON THIS PLAT. 4) ALL OF THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE PLAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT FOR UNITED AND LOSS TO THE LAND IS COSE EXCEPT. 1.13'-4) ALL OF THE LAND IS GCE EXCEPT FOR UNITS AND LCE'S SHOWN HEREON. 0.67 UNIT 2-E 36.00 ∠0.23' **LEGEND** EXTERIOR MASONRY WALL UNIT 2-C UNIT BOUNDARY GCE BOUNDARY 0.67 LCE BOUNDARY GCE GENERAL COMMON ELEMENT LIMITED COMMON ELEMENT LCE SQ. FT. STAIR AREAS, HALLWAYS AND RESTROOMS (LCE) AS DESCRIBED SHR - 2 UNIT 2-G MECHANICAL & UTILITY ROOM (LCE) AS DESCRIBED M - 2 **ELEV** 32.23 417 SQ. FT. SKYLIGHT, UNLESS NOTED OTHERWISE SCALE: 1" = 10' 0.67 1.96'-6.44' 7.02' UNIT 2-B 15.40 I HEREBY CERTIFY THAT THIS PLAT IS AN EXACT COPY OF THE ORIGINAL. 653 SQ. FT. WOMEN'S RESTROOM SHR-2 (LCE) MEN'S 0.6 SHR-2 (LCE) SURVEYOR 24.10' UNIT 2-F REGISTERED UNIT 2-A PROFESSIONAL LAND SURVEYOR 653 SQ. FT. 1.00'-OREGON JULY 14, 1998 SHAWN KAMPMANN 2883 LS 32.01 RENEWAL DATE: 6/30/2011 ا 0.67 ا 0.67 * * RECEIVED * Date 12-30-10 By 50 SECOND LEVEL SURVEYED BY: This survey consists of POLARIS LAND SURVEYING LLC ____ sheet(s) Map P.O. BOX 459 ASHLAND, OREGON 97520 page(s) Narrative/ (541) 482-5009 JACKSON COUNTY DATE: NOVEMBER 21, 2010 SURVEYOR PROJECT NO. 552-09 Assessor's Map No. 37 1W 30 BC, Tax Lots 3700, 3800 & 3900 FILE: SURVEYS\552-09\KAY CONDOMINIUM.DWG SHEET 4 of 6

POLARIS LAND SURVEYING

