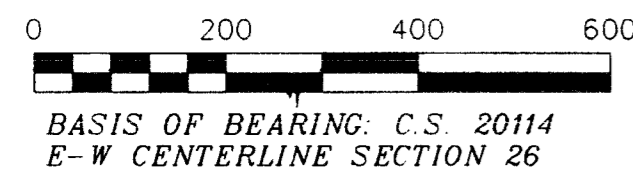
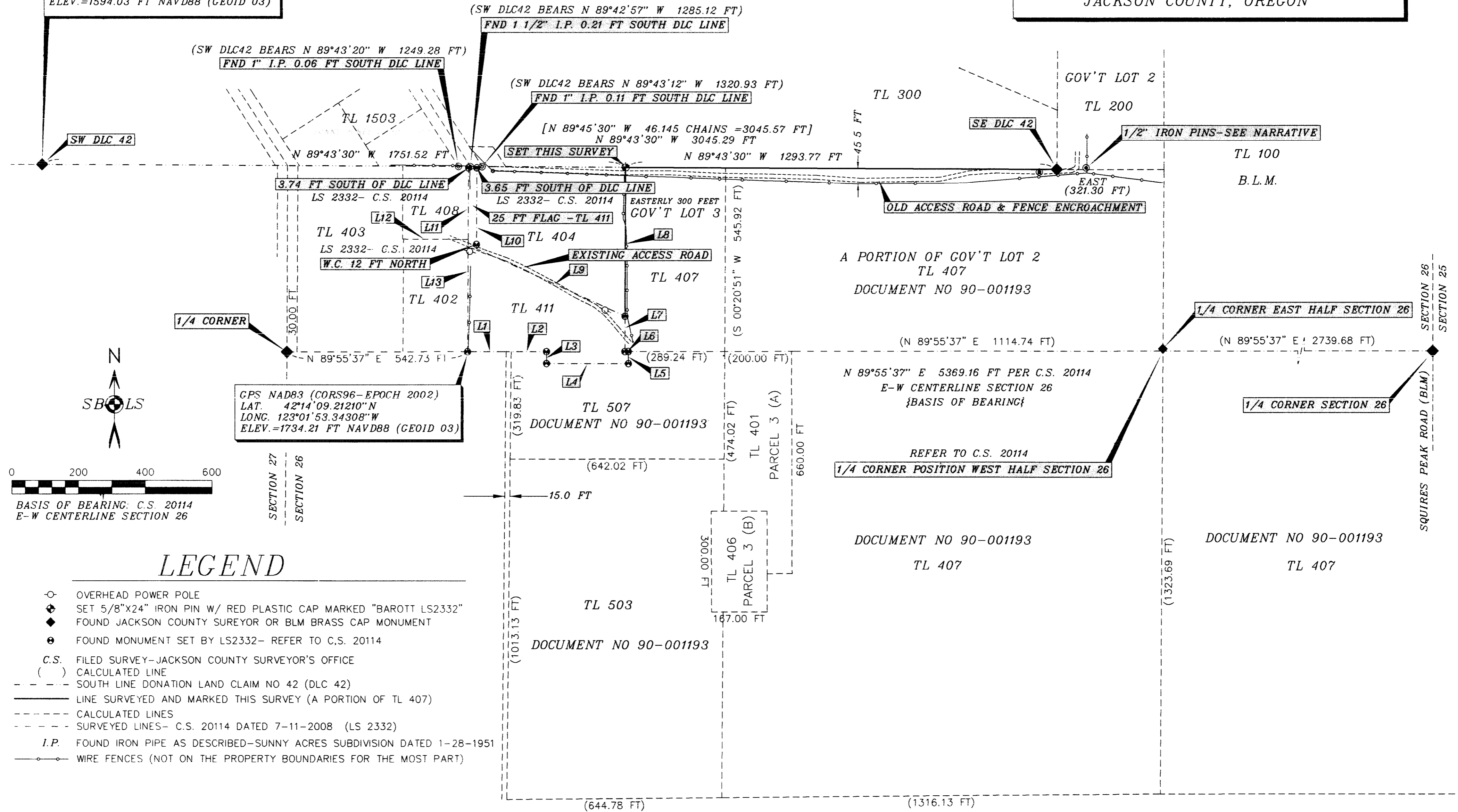


GPS NAD83 (CORS96-EPOCH 2002)
 LAT. 42°14'14.70399"N
 LONG. 123°02'10.31052"W
 ELEV.=1594.03 FT NAVD88 (GEOID 03)

TOWNSHIP 38 SOUTH, RANGE 3 WEST, W.M.
 N.W. QUARTER SECTION 26
 JACKSON COUNTY, OREGON



GPS NAD83 (CORS96-EPOCH 2002)
 LAT. 42°14'09.21210"N
 LONG. 123°01'53.34308"W
 ELEV.=1734.21 FT NAVD88 (GEOID 03)

LEGEND

- OVERHEAD POWER POLE
- ◆ SET 5/8"x24" IRON PIN W/ RED PLASTIC CAP MARKED "BAROTT LS2332"
- ◆ FOUND JACKSON COUNTY SUREYOR OR BLM BRASS CAP MONUMENT
- FOUND MONUMENT SET BY LS2332- REFER TO C.S. 20114
- C.S. FILED SURVEY-JACKSON COUNTY SURVEYOR'S OFFICE
- () CALCULATED LINE
- SOUTH LINE DONATION LAND CLAIM NO 42 (DLC 42)
- LINE SURVEYED AND MARKED THIS SURVEY (A PORTION OF TL 407)
- CALCULATED LINES
- SURVEYED LINES- C.S. 20114 DATED 7-11-2008 (LS 2332)
- I.P. FOUND IRON PIPE AS DESCRIBED-SUNNY ACRES SUBDIVISION DATED 1-28-1951
- WIRE FENCES (NOT ON THE PROPERTY BOUNDARIES FOR THE MOST PART)

LINE TABLE

LINE	BEARING	DISTANCE	C.S. 20114 RECORD
L1	N 89°55'37" E	115.84 FT	
L2	N 89°55'37" E	120.93 FT	
L3	S 00°00'00" E	35.19 FT	
L4	S 90°00'00" E	246.00 FT	
L5	N 00°00'00" W	35.50 FT	
L6	S 89°55'37" W	10.76 FT	
L7	N 00°20'51" E	105.50 FT	N 00°23'00" E 105.50 FT
L8	N 00°20'51" E	442.29 FT	N 00°23'00" E 438.83 FT
L9	N 65°50'17" W	488.39 FT	N 65°50'30" W 488.45 FT
L10	S 00°23'00" W	244.46 FT	N 00°23'00" E 240.81 FT
L11	S 00°23'00" W	217.74 FT	N 00°23'00" E 214.00 FT
L12	S 89°43'30" E	197.83 FT	S 89°45'30" E 198.00 FT
L13	N 00°23'00" E	332.94 FT	N 00°23'00" E 332.93 FT

38-3W-26-(300-404-407)

SEE ATTACHED NARRATIVE

PLOTTED ON CONTINENTAL/MILANO JPC-4M2
 MYLAR USING HP 51640 CARTRIDGE

RECEIVED

DATE 6-2-11 BY SB

This survey consists of:
 1 sheet(s) Map
 6 page(s) Narrative

JACKSON COUNTY
 SURVEYOR

S B L S
 STEPHAN BAROTT LAND SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYOR

1446 ST. ANDREW WAY
 MEDFORD, OREGON 97504

Stephan Barott

OREGON JULY 26, 1988
 STEPHAN L. BAROTT
 2332
 RENEWAL: DECEMBER 31, 2011

541-776-1272
 fax 541-776-2956
 sbarott@charter.net

MAP OF SURVEY

DRAWN SBLs	DATE 5-29-11	RICHARD & DIANE SMANDRA 638 HAVEN ROAD JACKSONVILLE, OR 97530 38-3W-26-407
APPROVED	DATE	
SCALE 1"=200'	SHEET 1 OF 1	PROJECT NO. 2011-06

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

SURVEYED FOR: RICHARD & DIANE SMANDRA
638 HAVEN ROAD
JACKSONVILLE, OR 97530

SURVEYED BY: STEPHAN BAROTT LAND SURVEYING
1446 ST. ANDREW WAY
MEDFORD, OREGON 97504

LOCATION: Township 38 South, Range 3 West, Northwest 1/4 Section 26, Willamette Meridian, Jackson County, Oregon. (Jackson County Tax Records 383W26 TL407)

BASIS OF BEARING: Filed Survey C.S. 20114 (East-West centerline of Section 26.)

PURPOSE: The purpose of this survey is to identify a portion of the Smandra property described in OR 90-001193 of the Official Records of Jackson County, Oregon. The purpose is to identify the West and North boundary of the current Tax Lot 407 bounded by current Tax Lots 404 and 300. Said lines are identified as "the West line of the Easterly 300 feet of Government Lot 3, and the South line of Donation Land Claim No. 42. The purpose is also to identify man-made features along said lines, and identify the location of a 30 foot access easement if possible.

HISTORY OF SURVEYS: The history of surveys of T.38 S., R.3 W. pertaining to this survey is as follows:

In 1854, Butler Ives and George Hyde surveyed east boundary of the township.

In 1857, David P. Thompson, U.S. Deputy Surveyor, surveyed the north boundary of the township and a portion of the sub-divisional lines.

In 1857, David P. Thompson, U.S. Deputy Surveyor, surveyed Donation Land Claim No. 42 (DLC No. 42).

In 1910, Ernest P. Rands, U.S. Deputy Surveyor, retraced portions of the sub-divisional lines and completed the remainder of the sub-divisional lines for the township.

In 1951, C.Z. Boyden surveyed Sunny Acres Subdivision located in sections 26 and 27. During this survey, Boyden tied to the ¼ corner for sections 26 and 27, the southwest corner for Donation Land Claim No. 42, and the south boundary for said DLC No.42.

In 1991, Charles H. Hurst surveyed a portion of the sub-divisional lines for section 26. Refer to recorded survey No. 12715, Jackson County Surveyor's Office.

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

In 1992, Charles H. Hurst subdivided the south half of section 26. Refer to recorded survey No. 13139, Jackson County Surveyor's Office. In his narrative, Hurst described finding an unrecorded survey for section 26 performed by Hugh Ingle in 1970, for Mr. Bert Harr. Hurst also reported that he discovered an administrative survey performed by the Bureau of Land Management in 1971 in which "proportionate sub-divisional corners in the southeast quarter of section 26 were established. Hurst also established a position for the center $\frac{1}{4}$ for section 26 using found proportional corners and other evidence he felt was appropriate at the time.

In 1997, Philip G. Griffin, Cadastral Surveyor, surveyed a portion of the east boundary of the township.

In 1997, Aaron M. Graham, Philip G. Griffin, and Francis J. Simon, Cadastral Surveyors, dependently re-surveyed a portion of the sub-divisional lines and Donation Land Claim No. 42. During this survey, the BLM determined Hurst used improper procedures for the subdivision of section 26. The BLM did not accept the Hurst position for the center $\frac{1}{4}$ for section 26 as it pertained to the east half of the section. The BLM established a new center $\frac{1}{4}$ and center-east $\frac{1}{16}$ corner for the "East half of Section 26 only," in essence creating two center corners for section 26.

The adjacent property identified as the current Tax Lots 411 and 404 were partially surveyed during a dependent resurvey by this office. Refer to C.S. 20114, dated 7-11-2008 for Laurel & Mark Prchal (TL 411).

No other surveys pertinent to this current survey are of record.

PROCEDURE: Utilizing survey control, I established for Section 26 during Survey C.S. 20114, I tied the existing survey to monuments established in 2008. During the 2008 survey for Prchal, the monuments controlling the South line of Donation Land Claim No. 42 (DLC 42) were not tied to the control. Deed calls were utilized and witness corners were set at the approximate North-South location of a 25-foot strip of land included in the description for TL 411 (Prchal). However, these two monuments were not labeled "witness corners," as they should have been. They were found to be 3.65 feet and 3.74 feet South of the South line for DLC 42 as shown on this Map of Survey. It was also discovered that the 1 1/2-inch diameter iron pin shown on C.S. 20114 is the center monument set at the South end of a 60-foot wide dedicated road for Sunny Acres Subdivision. A Search was then made for the East and West monuments marking the end of said 60-foot wide dedicated road. Each were found buried about 1-1.5 feet and are as shown on this Map of Survey. Ties were also made to the Southeast and Southwest corners for DLC 42. These two corners mark the true property boundary and most surveys in the immediate area "close on" said line.

Fences and access roads along the South line for DLC 42 were tied and are shown on the Map of Survey. These fences and access road were apparently built by the owners of TL 300 (Hunters) to the North. They have been made aware of the encroachment. A fence along the boundary between TL 404 and 407 was also found to be off line and not straight at all.

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

Control points established along these lines are marked with ½"x15" iron pins with blue or pink plastic caps marked "SBLS CONTROL." Several GPS control points were also established and are on file with this office.

GPS control was established utilizing the Leica SmartStation dual frequency Real Time Kinematic (RTK) GPS adjusted utilizing Oregon Department of Transportation (ODOT) GPS network solution (ORGN). Adjustment is NAD83 (CORS96- EPOCH 2002) and vertical is NAVD88 utilizing Geoid03.

Easement investigation:

Easement for the Smandra property, including access to Tax Lot 407 is as follows:

Document 90-001193

"TOGETHER WITH an easement, 30 feet in width, including the terms and provisions thereof, for ingress and egress, granted by instruments recorded in Volume 579, Page 502, Jackson County, Oregon, Deed Records, and in Document Nos. 68-05976 and 90-00221, Official Records of Jackson County, Oregon, State of Oregon, County of Jackson."

Document Volume 579, Page 502

"An easement and right of way for access to and egress from certain land conveyed by grantors to Bert Harr and Christine Harr, husband and wife, and recited in that certain contract of sale dated December 19, 1963, between the said grantors and Bert Harr and Christine Harr. Said right of way is to be 30 feet in width and consisting of the existing farm road leading from State Highway No. 238; said road running across the northerly portion of Government Lot 3."

Document 68-05976

"Together with an easement and right of way for access to and egress from the land hereby conveyed, using the existing farm road leading from Highway 238, said road running across the northerly portion of Government Lot 3, said lot being retained by grantor. Said right of way shall be a maximum of thirty (30) feet in width.

Document 90-00221

"An easement for ingress and egress, 30 feet in width, including the right and obligation singly or jointly, to maintain said easement as provided by law, over and across the existing road located on that property on Exhibit "A" attached hereto."

"Said easement is to be appurtenant to and for the benefit of that property described on Exhibit "B" attached hereto."

Exhibit "A"

Parcel 1: Describes the current Tax Lot 404 (Naumann)

Parcel 2: Describes the current Tax Lot 411 (Prchal)

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

Exhibit “B”

Parcels 1-3: Describes current Tax Lots 407 and more (Smandra)

It is clear that the Smandra’s have a 30 foot easement over and across Tax Lots 404 and 411. The exact location has not been described. Several possibilities exist:

1. Over the existing road across Tax Lots 411, 404, 402, 403, and 490 (Haven Road) to Highway 238
2. Over Tax Lots 404 and 411 along the 25 foot “flag pole” to the 60-foot wide dedicated roadway for Sunny Acres Subdivision known as Twin Pines Road to Highway 238.
3. Over Tax Lot 407 and 404 to the existing roadway as discovered this survey, previously thought to be on Tax Lot 300 (Hunter), to the 60-foot wide dedicated roadway for Sunny Acres Subdivision known as Twin Pines Road, to Highway 238.
4. Some other 30 foot strip over and across Tax Lots 404 and 411 to Highway 238.

I did not find a written easement across Tax Lot 403 (Zanitsch), Tax Lot 402 (Harrold), or Tax Lot 408 (Naumann) to Haven Road. This may indicate the intent of the thirty (30) foot easement listed above was to cross Tax Lots 404 and 411 and access the public way created in 1951 for Sunny Acres Subdivision from the property location to Highway 238.

I could not positively identify and describe the easement of record for this survey.

EQUIPMENT:

Equipment utilized throughout this survey includes a Leica TCRP-1203 Electronic Total Station and Leica Smartstation RTK GPS adjusted utilizing Oregon Department of Transportation (ODOT) GPS network.

MONUMENTS ACCEPTED FOR CONTROL AND MONUMENTS ESTABLISHED: Are shown on the Map of Survey.

SE DLC 42

At the corner point, I found a 2 ½-inch diameter brass cap monument on a 1-inch diameter iron galvanized iron pipe protruding 0.8 feet above ground, mark as follows:

T38S R3W

DLC
SE
42
C.S.
1987

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**



(Note: cap is oriented to the South)

From which

A 36-inch diameter Douglas fir bears North 49°59'E., 26.5 feet, with a healed double blaze.

A 10-inch diameter Douglas fir bears South 4°23' E., 11.4 feet, with a healed double blaze.

A 36-inch diameter sawed fir stump bears South 31°59' W, 25.1 feet. to center of rotted stump.

A 19-inch diameter Madrone bears North 3°25' W., 5.1 feet, with a healed double blaze.

A ½-inch diameter iron pin with a pink plastic cap marked SBL CONTROL, set in the center of an old road, bears South 81°39'04" West, 52.90 feet distance.

**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

A 1/2-inch diameter iron pin with a pink plastic cap marked SBLS CONTROL, 2.5 feet West of a North-South wire fence, bears North 86°39'06" East, 87.91 feet distance.

Corner lies three feet North of the center of an old road.

SW DLC 42

At the corner point, I found a 2 1/2-inch diameter brass cap monument, 3-inches below ground surface and 3 feet North of a wire fence, mark as follows:

T38S R3W
DLC
SW
42
C.S.
1987

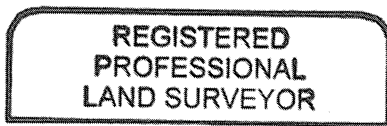
From which

A 14-inch diameter Oak bears South 5°15' West, 19.1 feet distance, with a healed double blaze with an old location tag attached. (This is County record. I did not re-measure).

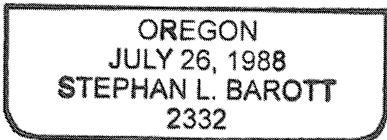
No evidence of remaining bearing trees could be found. Corner lies South of a newer house located at 101 Rocky Knoll Drive.

This is a GPS point. See attached Map of Survey.

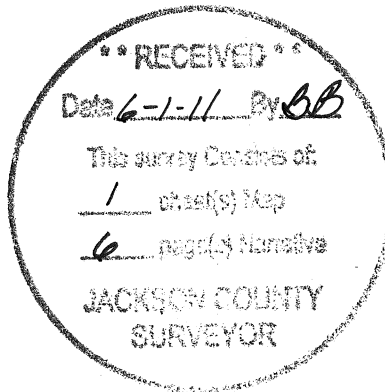
Controlling Public Land Survey System (PLSS) corners along the East-West centerline for Section 26 are as described in C.S. 20114 and not visited this survey.



Stephan Barott



RENEWS: DECEMBER 31, 2011



DATE OF SURVEY: May 29, 2011