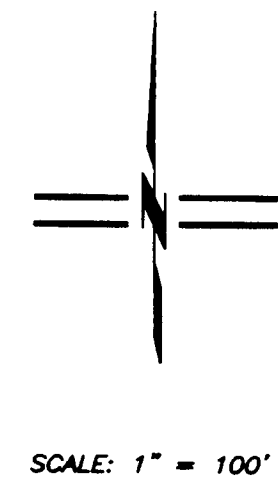


MAP OF SURVEY
 LYING SITUATE WITHIN
 SOUTHWEST QUARTER OF SECTION 35
 & SOUTHEAST QUARTER OF SECTION 34,
 TOWNSHIP 38 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN
 JACKSON COUNTY, OREGON
 FOR
FIDELITY NATIONAL LAW GROUP
 1200 6th Avenue, Suite 620
 Seattle, Washington 98101

**** RECEIVED ****
 Date 1-4-12 By SK
 This survey consists of
 1 sheet(s) Map
 2 page(s) Narrative
 JACKSON COUNTY
 SURVEYOR

LEGEND

- 2 1/2" BRASS CAP SECTION CORNER PER 1987 B.L.M. DEPENDENT RESURVEY & JACKSON COUNTY RE-ESTAB. NOTES (RECORD)
- 2 1/2" BRASS CAP DONATION LAND CLAIM NO. 67 CORNER PER JACKSON COUNTY RE-ESTAB. NOTES & S/N 9660 & 17995 (RECORD)
- 2 1/2" BRASS CAP WITNESS CORNER REFERENCE MONUMENT PER JACKSON COUNTY RE-ESTAB. NOTES & S/N 17995 (RECORD)
- 3/4" IRON GAS PIPE, 24" DEEP PER 1913 A.T. BROWN SURVEY AND SURVEY NO. 9660 & 17995 (RECORD)
- 5/8" IRON PIN - NO OTHER MARKINGS - PER SURVEY NO. 9660 BY CHARLES HURST (RECORD)
- 5/8" IRON PIN w/ ORANGE PLASTIC CAP STAMPED "KAMPAMN PLS 2883" PER SURVEY NO. 17995 (RECORD)
- PROPERTY LINE
- DISPUTED EASEMENT/PROPERTY LINE
- BOUNDARY LINE
- DEED LINE
- FENCE LINE
- O.R. OFFICIAL RECORDS, JACKSON COUNTY CLERK
- D.R. DEED RECORD VOLUME / PAGE, JACKSON COUNTY CLERK
- S/N SURVEY FILE NUMBER, JACKSON COUNTY SURVEYOR
- D.L.C. DONATION LAND CLAIM, AS DESCRIBED
- [] DEED RECORD DATA PER D.R. 98/490 & 571/170
- () SURVEY RECORD DATA PER S/N 9660
- ACCESS & UTILITY EASEMENT PER O.R. 2011-038382



BASIS OF BEARING
 THE BASIS OF BEARING FOR THIS SURVEY WAS THE EAST LINE OF DONATION LAND CLAIM NO. 67, TOWNSHIP 38 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, HAVING A RECORD PLAT BEARING OF NORTH 00°03'30" EAST, AS REFERENCED BY SURVEY NO. 9660 & 17995, ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 JULY 14, 1998
 SHAWN KAMPMANN
 02883 LS
 RENEWAL DATE: 6/30/2013

SURVEYED BY:
POLARIS LAND SURVEYING LLC
 P.O. BOX 459
 ASHLAND, OREGON 97520
 (541) 482-5008
 DATE: AUGUST 4, 2011
 PROJECT NO. 655-11

SURVEY NO. 20999

PROCEDURE: (cont.) No. 67 that the "stake" was likely to have been marking), thence running East to the center of Wagner Creek Road, South along the road centerline, thence westerly to the east line of D.L.C. No. 67, thence closing North 31.33 rods (517.0 feet) back to the "stake". In 1957, Work conveys the southerly portion of that tract to Ensele described in Deed Record Volume 449, Page 474, that begins "at a point 26.50 Chains (1749.00 feet) North" of said southwest corner of D.L.C. No. 67, with the last two calls running west from the road to the east line of said claim, thence north 5.50 feet to the point of beginning. All of the deeds of the other properties lying west of Wagner Creek Road begin or terminate "at a point 26.50 Chains (1749.00 feet) North...." of said southwest D.L.C. Corner except the one described in Volume 449, Page 474. It is my professional opinion that although the original parent deed (Volume 98, Page 490) begins at the "stake" being the "ell" corner that was 5.1 feet north of the record deed call of "34.25 chains (2260.5 feet) north of the southeast corner of D.L.C. No. 67....," when the current parcel was cut out of the original, the scrivener created the new legal description beginning at a point 26.50 chains from said southwest corner instead of the "stake" and appears to have mathematically subtracted 34.25 chains from 26.50 chains when running out the courses for the new parcel and thusly ended up closing south 5.5 feet from where the southerly boundary actually was, then forced a closure 5.5 feet back to the point of beginning, the last course of which was not contained in the original parent tract description. I believe that the measured difference of 5.1 feet from the record distance between the "ell" and the southwest corners of D.L.C. No. 67 as outlined above, accounts for the 5.5 foot closing error in the later descriptions, therefore I hold the south deed line of the above described parcel to be 26.5 chains (1749.00 feet) north of the said southeast corner of D.L.C. No. 67.

Because of the age of the "encroaching" fence line, unwritten rights may exist and it is possible that the actual north property line could be determined to be somewhere in between the deed line and the fence line if it was to be contested in court.

BASIS OF BEARING: The Basis of Bearing for this survey was the East line of Donation Land Claim No. 67, Township 38 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, having a record plat bearing of North 00°03'30" East, as referenced by Survey No.'s 9660 & 17995, on file in the office of the Jackson County Surveyor.

DATE: August 4, 2011

PREPARED BY: Shawn Kampmann,
Professional Land Surveyor



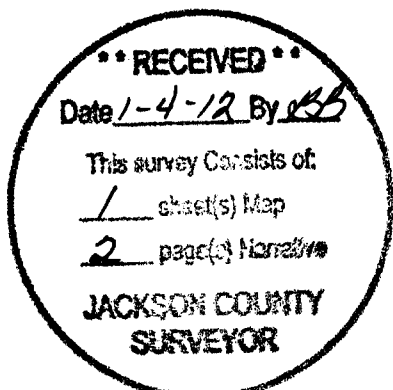
Shawn Kampmann



RENEWAL DATE: 6/30/13

POLARIS LAND SURVEYING, LLC
P.O. Box 459
Ashland, Oregon 97520
(541) 482-5009

S:\surveys\655-11\Fidelity Survey Narrative.doc



SURVEY NO. 20999

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

SURVEY FOR: Fidelity National Law group
1200 6th Avenue, Suite 620
Seattle, Washington 98101

LOCATION: The Southwest Quarter of Section 35 in Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon.

PURPOSE: To survey and monument those tracts of land described within Instrument No.'s 79-18634 & 66-10036 of the Official Records of Jackson County, Oregon, per the Stipulated Judgment in Jackson County Circuit Court Case No. 09-2525-E2.

PROCEDURE: Utilizing an electronic Leica TCRP 1203 robotic Total Station and ranging prisms, I survey the land as shown hereon. The east line of Donation Land Claim (D.L.C.) No. 67 was previously determined in the performance of Survey No.'s 9660 & 17995. Monuments recovered from Survey No. 9660 very closely matched the deed distance calls along said east line of D.L.C. No. 67 to the subject tracts and adjoiners and were held for position.

There has been confusion caused by deficiencies found in deeds in the historic chain of title for the two subject properties concerning ownership of a 20 foot wide strip created for private road purposes. In 1961, Lockwood conveyed Tract C, described in Deed Record Volume 571, Page 170, to Grabher which included the 20 foot strip from the west property line to Wagner Creek Road. In 1966, Grabher conveys said Tract C, excepting said strip as a private road, back to Lockwood in Instrument No. 66-10036. In the statutory warranty deed described within Instrument No. 02-60694, Lockwood conveys the original Tract C description found in Volume 571, Page 170, noting the strip being reserved as an easement "subject to the terms and conditions thereof" within Instrument No. 66-10036, although no terms nor conditions are mentioned. Recently Grabher's have filed a declaration clarifying that their original intent was to convey the full length of said 20 foot strip in fee title to be consolidated with their former property described as Tracts A & B in said Deed Record Volume 571, Page 170, later conveyed to Brook by Instrument No. 79-18634. This matter is now being affirmed through a Stipulated General Judgment in Jackson County Circuit Court Case No. 09-2525-E2

A potential encroachment of an ancient fence line was found to exist along the north line of said 20 foot strip by approximately 4.5 feet, as well as a portion of a gravel driveway that provides access to the parcel to the north which was most recently described within Instrument No. 87-27061. I retraced the chain of title back to a warranty deed in 1921 to W.M. Work described in Deed Record Volume 98, Page 490 which calls out "Beginning at a stake 34.25 Chains (2260.5 feet) North of the Southeast Corner of Donation Land Claim No. 67....." (which is 5.1 feet short of the actual measured distance to the "ell" corner of said Claim

