

\*\*\* SURVEYORS CERTIFICATE \*\*\*

I, RICHARD L. BATH, DO HEREBY CERTIFY THAT I AM A DULY REGISTERED SURVEYOR OF THE STATE OF OREGON, LICENSE NO. 1069, AND I FURTHER DO HERBY DECLARE THAT THIS PLAT CORRECTLY REPRESENTS A TITLE BOUNDARY MADE BY ME OR UNDER MY DIRECTION, AND THAT I HAVE PROPERLY PLATTED THE TITLE BOUNDARIES OF THE TRACT OF LAND SHOWN HEREON, AND THAT SAID PLAT CONFORMS WITH THE ORDINANCES OF THE COUNTY OF JACKSON AND THE STATUTES OF THE STATE OF OREGON AND THAT THE FOLLOWING IS A TITLE DESCRIPTION OF THE SUBJECT PROPERTY'S BOUNDARY ALONG WITH THE APPROPRIATE EXCEPTIONS:

The Northeast Quarter; the North Half of the Northeast Quarter of the Southeast Quarter; the Southwest Quarter of the Southwest Quarter; the North Half of the Southwest Quarter; the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Northwest Quarter of Section 16 in Township 37 South, Range 3 East of the Willamette Meridian, in Jackson County, Oregon.

EXCEPTING THEREFROM the following: Beginning at the Northwest corner of the Northwest Quarter of the Northwest Quarter of Section 16 in Township 37 South, Range 3 East of the Willamette Meridian in Jackson County, Oregon; thence East, along the Section line, 200 feet; thence South, parallel with the West line of said Section, 200 feet; thence West, parallel with the North line of said Section, 200 feet; thence North, along the West line of said Section, 200 feet to the point of beginning.

ALSO, excepting therefrom the following: Commencing at the Northwest corner of Section 16 in Township 37 South, Range 3 East of the Willamette Meridian in Jackson County, Oregon; thence East, along the North line of said Section, 330.0 feet to the true point of beginning; thence continue East, along the North line of said Section, 330 feet; thence South, along a line parallel with the West line of said Section 16, a distance of 490 feet, more or less, to the center of Little Butte Creek as of May 30, 1971; thence Westerly, along the centerline of Little Butte Creek to a point 330 feet Easterly of, when measured at right angles to, the West line of said Section 16; thence leaving said creek centerline North, parallel with said West line of Section 16, to the true point of beginning.

ALSO, the North Half of the Northeast Quarter of the Northwest Quarter; the East 15 acres, more or less, of the South Half of the Northeast Quarter of the Northwest Quarter; the East Half of the East Half of the Southeast Quarter of the Northwest Quarter; the South Half of the West Half of the West Half of the Southeast Quarter of the Northwest Quarter; all that portion of the Northwest Quarter of the Southeast Quarter lying South of Little Butte Creek and all of that portion of the Northwest Quarter of the Southeast Quarter lying North of County Road, and all that portion of the West Half of the West Half of the Northwest Quarter of the Southeast Quarter lying between the County Road and Little Butte Creek, all being in Section 16, Township 37 South, Range 3 East, of the Willamette Meridian in Jackson County, Oregon.

Richard L. Bath  
SURVEYOR

AFFIDAVIT of DECLARATION APPROVAL

For fee owner, vendor or the mortgage or trust deed holder, complying with ORS 92.075 (4), see Document No(s). 2013-19621 Official Records, Jackson County, Oregon

PARTITION PLAT NO. P-13-2013

LOCATED IN  
SECTION 16, T.37S., R.3E., W.M.  
JACKSON COUNTY, OREGON  
Re: J.C.D.S. FILE No. SUB2013-00010\_MP

SURVEY FOR  
MARK M. TOENIES and LYMY BETH D. TOENIES  
1802 KIMBERLY DRIVE APT A  
KLAMATH FALLS, OR 97603

JUNE 2013

SURVEYOR:

Hardey Engineering & Assoc., Inc.  
By: Richard L. Bath, L.S. 1069  
P.O. Box 1625  
Medford, OR 97501-0124  
Ph. 541-772-6880

APPROVALS:

EXAMINED AND APPROVED by the Jackson County Development Services  
this 7<sup>th</sup> day of JUNE, 2013.  
JCDS File No: SUB2013-00010\_MP

KAMWALS  
COUNTY PLANNER

Examined and approved this 7<sup>th</sup> day of June, 2013.

Scott J...  
JACKSON COUNTY SURVEYOR

ASSESSOR / TAX COLLECTOR:

All taxes, fees, assessments or other charges as required by O.R.S. 92.095 have been paid as of JUNE 7, 2013.

William Johnson, Deputy Assessor  
Patricia Johnson, Deputy Tax Collector

6-7-2013  
Date  
6-7-13  
Date

RECORDER'S CERTIFICATE:

Filed for record this 7<sup>th</sup> day of JUNE, 2013 at 3:51 O'Clock, P.M.  
and recorded as PARTITION PLAT NO. P-13-2013 in "RECORD OF PARTITION PLATS"  
in Jackson County, Oregon. INDEX VOLUME 24 PAGE 13

CHRISTINE D. WALKER  
County Clerk

Sonya S. Morgan  
Deputy

Filed in the office of Jackson County Surveyor as Survey No. 21277

\*\*\* DECLARATION \*\*\*

KNOW ALL MEN BY THESE PRESENTS that MARK M. TOENIES & LYMY BETH D. TOENIES are the owners in fee simple of the land represented on this Partition Plat and more particularly described in the Surveyor's Certificate, and have caused the same to be partitioned and platted into two parcels as shown hereon, and the number of each parcel and all boundaries are plainly set forth on sheet 2 of this partition plat. We do hereby create and grant a 10' Public Utility Easement along the County Road known as South Fork Little Butte Creek Road as shown hereon.

Mark M. Toenies

Lymy Beth D. Toenies

STATE OF OREGON, County of Jackson  
Dated: June 7, 2013

Personally appeared before me the above named Mark M. Toenies & Lymy Beth D. Toenies, who acknowledged the foregoing instruments to be their voluntary act and deed. Before me:

Notary Public for Oregon  
My Commission expires 3-2-16  
465937

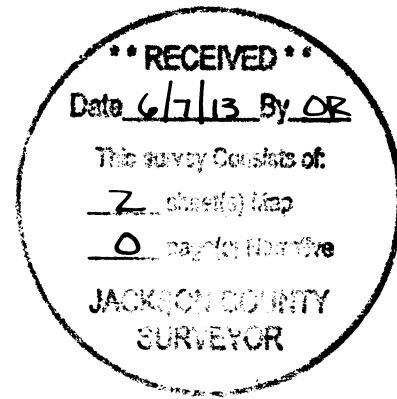
NARRATIVE:

PURPOSE: To prepare a "non-surveyed" partition plat for the subject property described in deed recorded as Doc. No. 2011-040419 O.R. in order to create two parcels as tentatively approved by planning action File No. SUB 2013-00010\_MP.

PROCEDURE: Using CS 5348 as a basis for the mathematical breakdown of Section 16, T37S, R3E, of the W.M. in Jackson County, OR., I show the resulting courses of the outside boundary of the subject property accordingly. All interior calculations are also dependant upon the mathematics from said filed survey CS 5348. The locations of South Fork Little Butte Creek Road is based on the alignment described in Document No. 68-11986 overlaid onto aerial photographs and the current assessors maps. The location of South Fork of Little Butte Creek in the NW 1/4 of the SE 1/4 of Section 16 is based on the graphical representation shown on the current assessor's map. No attempt is made to determine if the current location of said creek is based on a flood event in 1997 or some other form of riparian rights.

It is also understood that a Property Line Adjustment between the current owners of Tax Lots 100, 800, and 801 will be completed after this Partition Plat is recorded.

BASIS OF BEARINGS: CS 5348 filed in the office of the Jackson County Surveyor.



I HEREBY CERTIFY THIS PLAT TO BE AN EXACT COPY OF THE ORIGINAL PLAT

Richard L. Bath  
RICHARD L. BATH P.L.S. 1069

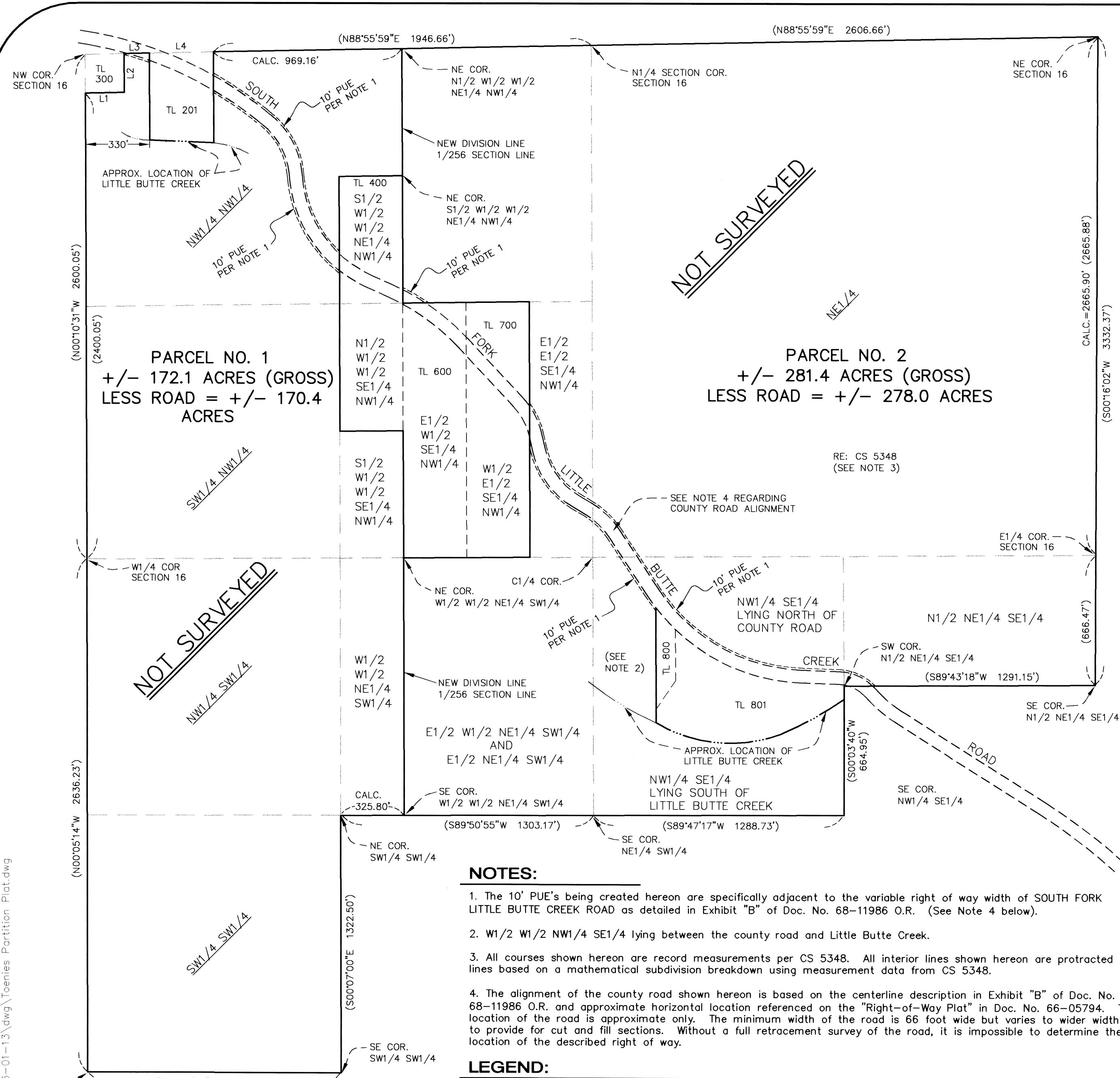
REGISTERED PROFESSIONAL LAND SURVEYOR

Richard L. Bath  
OREGON  
JULY 30, 1976  
RICHARD L. BATH  
No. 1069  
RENEWS 12/31/13

Hardey Engineering & Associates, Inc.



P.O. BOX 1625  
MEDFORD, OREGON 97501-0063  
VOICE: 541-772-6880  
FAX: 541-772-9573  
EMAIL: info@hea-inc.com



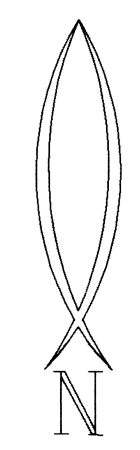
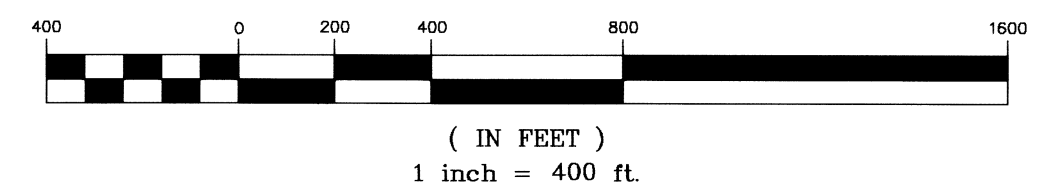
**PARTITION PLAT NO. P-13-2013**

LOCATED IN  
SECTION 16, T.37S., R.3E., W.M.  
JACKSON COUNTY, OREGON  
Re: J.C.D.S. FILE No. SUB2013-00010\_MP

SURVEY FOR  
**MARK M. TOENIES and LYMY BETH D. TOENIES**  
1802 KIMBERLY DRIVE APT A  
KLAMATH FALLS, OR 97603

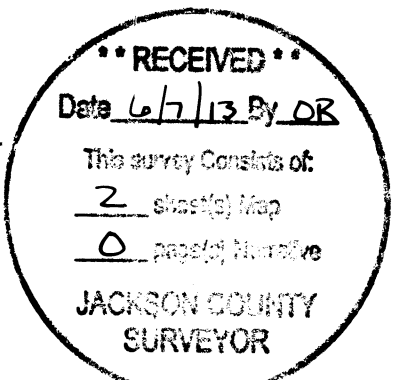
JUNE 2013

GRAPHIC SCALE



**SURVEYOR:**

Hardey Engineering & Assoc., Inc.  
By: Richard L. Bath, L.S. 1069  
P.O. Box 1625  
Medford, OR 97501-0124  
Ph. 541-772-6880



**EASEMENT NOTES:**

- EASEMENTS OF RECORD per AmeriTitle Preliminary Title No. 0800206 dated April 12, 2013
1. V. 195, P. 147 is for right of way and easement located within the NE1/4SE1/4 of Section 16, T37S, R3E, W.M. (Specific location is not given)
  2. Power line easements per V. 381 P. 226, V. 381 P. 229, V. 382 P. 173, and V. 383 P. 401 D.R. are for transmission and distribution of electricity over pole lines or structures and are not specifically locatable.
  3. Right of way easement per Doc. No. 66-03921 O.R. to the United States of America for a road known as South Fork Little Butte Road. The strip of land is 66 foot wide lying 33 feet on each side of the centerline together with as much additional width as required for adequate protection of cuts and fills. (Appears to affect Tax Lot 201 only)
  4. Right of way easement per Doc. No. 66-05794 O.R. to the United States of America for a road known as South Fork Little Butte Road. The strip of land is 66 foot wide lying 33 feet on each side of the centerline together with as much additional width as required for adequate protection of cuts and fills. (Appears to affect all of Tax Lot 100)
  5. Right of way easement per Doc. No. 68-11986 O.R. from United States of America to Jackson County, Oregon, for a road known as South Fork Little Butte Road #373. The strip of land is a minimum of 66 foot wide but is variable in width as detailed in said document for adequate protection of cuts and fills. (Appears to affect all of Tax Lot 100) [NOTE: The legal description begins at Station 0+00 and ends at Station 240+00 but using the mathematics within the ending Station adds up to 237+67.17. Therefore it is impossible to plot where the variable widths are located along the alignment of the described road with any certainty.]
  6. Rights of way and easements for ditches or canals per Doc. No. 71-08742 O.R. (Specific location is not given and appears to affect Tax Lot 201 only)
  7. Reservations of all minerals and mineral rights per Doc. Nos. 79-21258, 80-23758, and 2010-041583 O.R.
  8. A perpetual exclusive road easement granted to the United States of America in Doc. No. 89-11524 O.R. for a 30' wide road located near the southwest corner of Section 16 as detailed on Exhibit A of said document.

**NOTES:**

1. The 10' PUE's being created hereon are specifically adjacent to the variable right of way width of SOUTH FORK LITTLE BUTTE CREEK ROAD as detailed in Exhibit "B" of Doc. No. 68-11986 O.R. (See Note 4 below).
2. W1/2 W1/2 NW1/4 SE1/4 lying between the county road and Little Butte Creek.
3. All courses shown hereon are record measurements per CS 5348. All interior lines shown hereon are protracted lines based on a mathematical subdivision breakdown using measurement data from CS 5348.
4. The alignment of the county road shown hereon is based on the centerline description in Exhibit "B" of Doc. No. 68-11986 O.R. and approximate horizontal location referenced on the "Right-of-Way Plat" in Doc. No. 66-05794. The location of the road is approximate only. The minimum width of the road is 66 foot wide but varies to wider widths to provide for cut and fill sections. Without a full retracement survey of the road, it is impossible to determine the location of the described right of way.

**LEGEND:**

( ) = Record measurement per CS 5348  
calc. = calculated measurement  
D.R. = Deed Records  
O.R. = Official Records  
PUE = Public Utility Easement  
TL = Tax Lot

**MEASUREMENT DATA:**

- L1 = (N88°55'59"E 200.00')
- L2 = (N00°10'31"W 200.00')
- L3 = (N88°55'59"E 130.00')
- L4 = (N88°55'59"E 330.00')

**EXCEPTION DEED DOCUMENTS:**

- TL 201 = Doc. No. 2003-85782 O.R.
- TL 300 = Doc. No. 1981-22740 O.R.
- (Tax Foreclosure per Doc. No. 2003-85269 O.R.)
- TL 400 = Doc. No. 1980-21052 O.R.
- TL 600 = Vol. 554 Pg. 50 O.R.
- TL 700 = Doc. No. 1999-51075 O.R.
- TL 800 = Doc. No. 2012-041650 O.R.
- TL 801 = Doc. No. 2005-068249 O.R.

I HEREBY CERTIFY THIS PLAT TO BE AN EXACT COPY OF THE ORIGINAL PLAT

*Richard L. Bath*  
RICHARD L. BATH P.L.S. 1069

REGISTERED PROFESSIONAL LAND SURVEYOR

*Richard L. Bath*  
OREGON  
JULY 30, 1976  
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