

DECLARATION

KNOW ALL PERSONS BY THESE PRESENT, that MICHAEL T. MAHAR, MAHAR HOMES, INC., an Oregon corporation, MAHAR BROTHERS CONSTRUCTION, LLC, an Oregon limited liability company, and CRYSTAL SPRINGS DEVELOPMENT GROUP, A JOINT VENTURE, hereinafter referred to as DECLARANTS, is the owner in fee simple of the lands as described in the "Surveyor's Certificate" herewith. Declarants have caused these tracts of land to be surveyed and platted into lots, reserve acreage, street rights-of-way and easements, as depicted hereon, and do hereby designate this subdivision as SUMMERFIELD AT SOUTH EAST PARK, PHASE 11A. Declarants hereby dedicate to the City of Medford, for right-of-way purposes, Calle Vista Drive, Lone Oak Drive, Windsong Avenue, Windgate Street and the alleys, as depicted hereon. Declarants hereby dedicate, for public use, those areas portrayed hereon as Public Utility Easements and Public Storm Drain Easements, as depicted hereon. Declarant hereby creates: those Private Storm Drain Easements, being over, through and across Lots 366 through 372 and Lots 374 through 379, for the use and benefit of Lots 366, 367, 370 through 373, 375 through 380 and future lots to be created at the northerly side of Windgate Street from Lot 366 easterly to the westerly side of Lone Oak Drive; those Private Sanitary Sewer Easements, being over, through and across Lots 374 and 375, for the use and benefit of Lots 375 and 376 respectively.

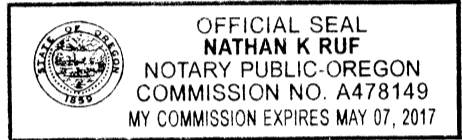
MICHAEL T. MAHAR
PRESIDENT, MAHAR HOMES, INC.
MEMBER, CRYSTAL SPRINGS DEVELOPMENT GROUP, A JOINT VENTURE

LOUIS F. MAHAR, II
MEMBER, MAHAR BROTHERS CONSTRUCTION CO, LLC

STATE OF OREGON } ss
County of Jackson }

Signed or attested before me on August 19, 2013 by MICHAEL T. MAHAR.

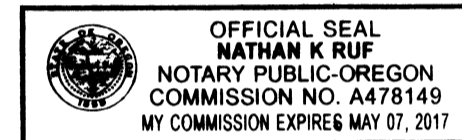
Notary Public - Oregon signature and name



STATE OF OREGON } ss
County of Jackson }

Signed or attested before me on August 19, 2013 by LOUIS F. MAHAR, II.

Notary Public - Oregon signature and name



TITLE RELATED NOTES:

NO DIRECT VEHICULAR ACCESS SHALL OCCUR ALONG ANY LOT ONTO LONE OAK DRIVE.

SUMMERFIELD AT SOUTH EAST PARK, PHASE 11A MAY BE SUBJECT TO THE FOLLOWING MATTERS OF RECORD PER THE RECEIVED TITLE REPORT:

The herein described property has been disqualified from special assessment as farm use land and is currently assessed at true cash (market) value. ORS 308A.083 at seq. provides that if the property is converted to a use inconsistent with its return to farm purposes, potential tax in the amount of \$ (to be determined) will become due and payable.

City liens, if any, of the City of Medford.

These premises are situated in the Talent Irrigation District, and subject to the levies and assessments thereof, water and irrigation rights, easements for ditches and canals and regulations concerning the same.

Easement, including terms and provisions contained therein, granted to Talent Irrigation District per Volume 469 at Page 428 of the Deed Records of Jackson County, Oregon. (Depicted on Sheet 2, being located along a portion of the easterly boundary of Tract A hereon).

Easement, including terms and provisions contained therein, granted to California Oregon Power Company per Volume 521 at Page 118, Volume 487 at Page 5 and Volume 538 at Page 132, all of the Deed Records of Jackson County, Oregon. (Specific location not given and no utility poles or aerial lines found).

Restrictive Covenant with the City of Medford regarding mitigation for certain street intersections and traffic capacity, per Instrument Number 2003-013151, of the Official Records of Jackson County, Oregon.

Agreement for provision of public facilities with the City of Medford, including the terms and provisions thereof, per Instrument Number 2004-020762 of the Official Records of Jackson County, Oregon.

Temporary easement for access to and installation and maintenance of public utilities and road slopes, including the terms and provisions contained therein, per Instrument Number 2006-008880 of the Official Records of Jackson County, Oregon. Statement within the document as follows: "THIS EASEMENT IS TEMPORARY IN NATURE AND ANY AFFECTED PORTION THEREOF IS EXTINGUISHED AND TERMINATED UPON THE CITY OF MEDFORD'S ACCEPTANCE OF PUBLIC DEDICATION AND/OR PERMANENT UTILITY OR SLOPE EASEMENTS OVER THE DESCRIBED AREA". (Depicted on Sheet 2 hereof).

Reservation of utilities in vacated street area and the right to maintain the same as set forth in Ordinance No. 2007-83 (vacate a portion of Fair Oaks Drive), as contained within Instrument Number 2007-019933 of the Official Records of Jackson County, Oregon.

Temporary drainage easements, including the terms and provisions thereof, per Instruments Numbered 2013-015584 and 2013-015585 of the Official Records of Jackson County, Oregon. (Depicted on Sheet 2 hereof).

Waterline easements, including the terms and provisions contained therein, granted to the City of Medford, by and through its Board of Water Commissions, per Instrument Number 2013-018587 of the Official Records of Jackson County, Oregon. Easements are 5.00 feet in width by 5.00 feet in length, located in southeast corner of Lot 370 and in the northeast corner of Lot 371, as depicted on Sheet 3 hereof.

Termination pending to remove the reservation of irrigation access per Volume 512 at Page 506 of the Deed Records of Jackson County, Oregon and Instrument Number 79-12084 of the Official Records of Jackson County, Oregon.

Jackson County Assessor's Map: 37 IN 27, Tax Lots 1000 & 1201

SURVEYOR'S CERTIFICATE

I, Cael E. Neathamer, a Registered Professional Land Surveyor of 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 depicted hereon and that this plat is a correct representation of said tract and that the following is an accurate description of the boundary lines of the parent tract of land as set forth hereon:

All that real property, being portions of those tracts of land as described in Instruments Numbered 2004-041947 and 2013-002886 of the Official Records of Jackson County, Oregon, located within the Donation Land Claim Number 58 and in the Southwest One-Quarter and Southeast One-Quarter of Section 27, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, as now surveyed and more particularly described as follows:

Commencing at a 7/8-inch square iron bar at the accepted corner position for the quarter corner common to Sections 26 and 27 per Survey Number 13369 as filed in the office of the Jackson County Surveyor; thence South 00°24'04" East, along the east line of said Section 27, 1176.09 feet (Record: South 00°28'58" East, 1175.17 feet), to intersect the north line of a 40-foot right-of-way per the plat FAIR OAKS ORCHARD TRACTS, recorded September 15, 1910, in Volume 2 of Plats at Page 50 of the Records of Jackson County, Oregon; thence North 89°52'21" West, 167.99 feet (Record: North 89°53'30" West, 168.37 feet), to the True Point of Beginning, being the southwesterly corner of that tract described in Instrument Number 99-28309 of the Official Records of Jackson County, Oregon; thence North 52°02'10" West, 63.20 feet; thence North 35°44'20" West, 163.45 feet; thence North 26°44'00" West, 346.30 feet (Record: North 26°46'00" West, 346.00 feet); thence North 00°57'30" West, 60.01 feet; thence North 89°55'50" West, 902.14 feet; thence North 00°57'30" West, 797.13 feet (Record North 00°57'30" West, 797.06 feet), to a point on the northerly line of that tract land described in Instrument Number 95-17501 of the Official Records of Jackson County, Oregon; thence North 43°48'50" West, 353.68 feet (Record: North 43°46'10" West, 351.48 feet); thence South 31°17'10" West, 223.90 feet (Record: South 31°19'50" West, 223.90 feet); thence South 02°10'25" West, 215.28 feet (Record: South 02°13'05" West, 214.62 feet), to intersect the northerly boundary of said Fair Oaks Orchard Tracts; thence North 89°36'20" West, along said northerly boundary, 350.17 feet (Record: North 89°35'49" West), being a point on the easterly right-of-way of Lone Oak Drive per Summerfield At South East Park, Phase 8, recorded June 19, 2008, in Volume 34 of Plats at Page 28 of the Records of Jackson County, Oregon (also filed as Survey Number 20064 in the office of the Jackson County Surveyor); thence South 00°00'00" East, along said right-of-way, 14.42 feet to an angle point thereof; thence continuing along said right-of-way, North 40°00'00" West, 499.87 feet to intersect the easterly right-of-way of Windsong Way per Summerfield At South East Park, Phase 5, recorded February 28, 2007, in Volume 33 of Plats at Page 13 of the Records of Jackson County, Oregon (also filed as Survey Number 19538 in the office of the Jackson County Surveyor); thence South 00°00'00" East, along last said right-of-way, 425.98 feet to the southwest corner of said Phase 5; thence North 90°00'00" West, along the southerly boundary of said Phase 5, 19.00 feet to intersect the westerly boundary of said Instrument Number 2004-041947; thence South 00°04'56" West, 148.40 feet (Record: South 00°05'16" West); thence North 89°46'44" West, 829.78 feet (Record: North 89°46'44" West, 829.94 feet); thence South 00°08'40" West, 679.38 feet (Record: South 00°08'40" West, 679.65 feet), to intersect the northerly right-of-way of a 40.00 feet wide dedicated road per said Fair Oaks Orchard Tracts; thence along said right-of-way the following courses and distances: thence South 89°11'21" East, 157.84 feet (Record: South 89°12'00" East, 157.75 feet); thence North 73°04'51" East, 630.95 feet (Record: North 73°04'00" East, 630.85 feet); thence North 78°08'40" East, 70.78 feet (Record: North 78°09'00" East, 71.08 feet), to intersect the westerly line of Lot 5 of said Fair Oaks Orchard Tracts; thence leaving said right-of-way, South 00°05'00" West, along the westerly line of Lots 5 and 17 of said Fair Oaks Orchard Tracts, 1201.64 feet (Record: South 00°05'16" West, 1201.97 feet), to a point on the northerly right-of-way of Barnett Road; thence along the northerly and easterly lines of said right-of-way of said Barnett Road, the following courses and distances: thence South 89°38'24" East, 30.14 feet (Record: South 89°38'13" East, 30.14 feet); thence South 00°21'37" West, 336.44 feet (Record: South 00°21'11" West, 336.41 feet); thence South 89°43'01" East, 476.80 feet (Record: South 89°43'00" East, 476.80 feet); thence leaving said right-of-way, North 00°00'00" East, 1721.79 feet; thence North 40°00'00" East, 646.50 feet; thence South 00°00'00" East, 373.58 feet to the centerline of said 40.00 feet wide dedicated road per said Fair Oaks Orchard Tracts, vacated per Instrument Number 2007-019933 of the Official Records of Jackson County, Oregon; thence along said centerline the following courses and distances: thence North 70°55'53" East, 166.53 feet; thence South 89°52'21" East, 1149.78 feet; thence North 00°07'39" East, 20.00 feet to the Point of Beginning.

Cael E. Neathamer
Surveyor

I hereby certify that this is an exact copy of the original.
Cael E. Neathamer
Surveyor

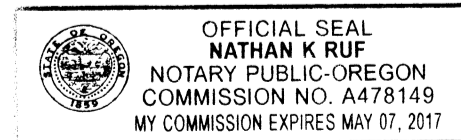
Louis F. Mahar, as Grantee and Beneficiary under that certain Trust Deed recorded August 21, 2012, Instrument Number 2012-028105, of the Official Records of Jackson County, Oregon, does hereby consent to release from lien of said Trust Deed all property described and/or depicted hereon as being dedicated for public use.

LOUIS F. MAHAR
GRANTEE AND BENEFICIARY

STATE OF OREGON } ss
County of Jackson }

Signed or attested before me on August 19, 2013 by LOUIS F. MAHAR.

Notary Public - Oregon signature and name



JACKSON COUNTY SURVEYOR
** RECEIVED **
DATE 9-26-13 BY [Signature]
This survey consists of:
3 sheet(s) Map
0 page(s) Narrative



OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545
Renewal Date 12/31/14

SUMMERFIELD AT SOUTH EAST PARK, PHASE 11A

Located within Donation Land Claim Number 58 and in the Southwest One-Quarter and Southeast One-Quarter of Section 27, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

MAHAR HOMES, INC
815 Alder Creek Drive
Medford, Oregon 97504

SHEET INDEX

- SHEET 1: THIS SHEET
SHEET 2: EXTERIOR BOUNDARIES
SHEET 3: PLAT PAGE, SURVEY NARRATIVE, LEGEND AND TABLES

APPROVALS:

CITY OF MEDFORD PLANNING FILE NUMBER: LDS-11-036

I certify that, pursuant to the authority granted in Ordinance No. 5785, of the City of Medford Municipal Code, that this plat is hereby approved.

James E. Huber, Planning Director, September 3, 2013, Date

Examined and approved this 28th day of August, 2013.
Carmen D. Helman, City Engineer, [Signature], City Surveyor

All taxes, fees, assessments, or other charges as required by O.R.S. 92.095 have been paid as of Sept. 26, 2013.
Shannon Bell, Tax Collector, [Signature], Deputy

Examined and approved as required by O.R.S. 92.100 this 26th day of SEPTEMBER, 2013.
Joshua Gibson, Assessor, [Signature], Deputy

RECORDING

FILED FOR RECORD THIS 26th DAY OF September, 2013 AT 3:15 O'CLOCK P.M. AND RECORDED IN VOLUME 39 OF PLATS AT PAGE 10 OF THE RECORDS OF JACKSON COUNTY, OREGON.

Christine D. Walker, County Clerk, Carmen D. Helman, Deputy

APPROVED FOR RECORDING: [Signature], County Commissioner/Administrator, 9/26/13, Date

PREPARED BY: Neathamer Surveying, Inc.
3126 State St, Suite 203
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
FAX (541) 732-1382

PLOT DATE: August 19, 2013 PROJECT NUMBER: 12034-1
Sheet 1 of 3 © CN

SUMMERFIELD AT SOUTH EAST PARK, PHASE 11A

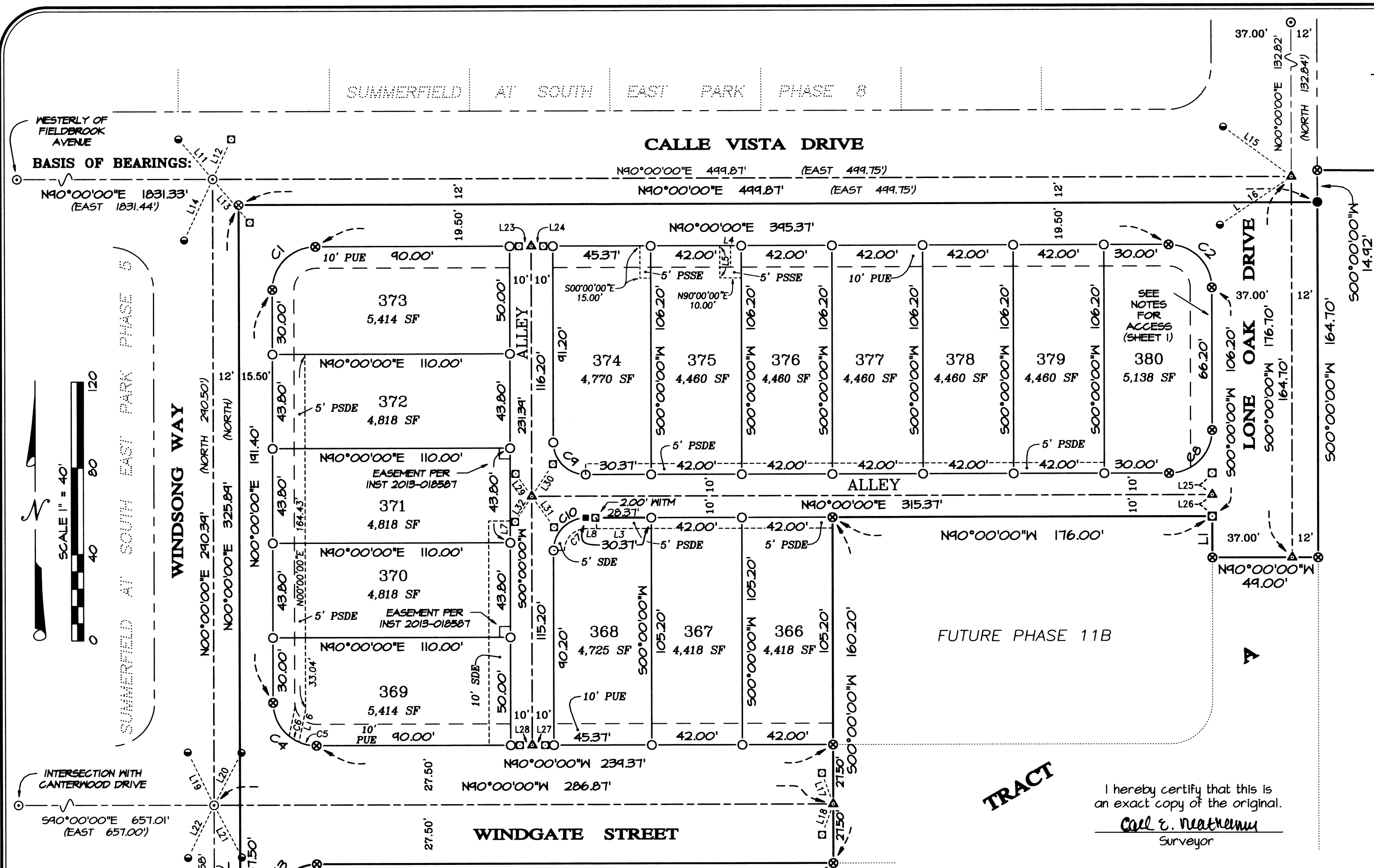
Located within Donation Land Claim Number 58 and in the Southwest One-quarter and Southeast One-quarter of Section 27, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

MAHAR HOMES, INC
815 Alder Creek Drive
Medford, Oregon 97504

LEGEND:

- Indicates a set 5/8-inch diameter by 24-inch long iron pin with an orange plastic cap marked "NEATHAMER SURVEYING".
- ⊙ Indicates a set 5/8-inch diameter by 30-inch long iron pin with an orange plastic cap marked "NEATHAMER SURVEYING".
- △ Indicates a set 5/8-inch diameter by 30-inch long iron pin with an aluminum cap marked "NEATHAMER SURVEYING".
- Indicates a set 0.38 shell casing in concrete with a tack and brass washer marked "NEATHAMER SURVEYING".
- ▲ Indicates a found 5/8-inch diameter iron pin per SN 1227 or as noted.
- Indicates a found 5/8-inch diameter iron pin with plastic cap marked "D. MINNECI L5 2344" per SN 1758B, 1953B and/or 20064.
- ⊖ Indicates a found aluminum cap marked "L5 2344" per SN 1758B, 1953B or 20064.
- ⊙ Indicates a found lead and tack in concrete per SN 1953B or 20064.
- ⊕ Indicates a found monument as noted hereon.
- Indicates a computed position, nothing found or set.
- [] Indicates record information per SN 1227, or as noted.
- < > Indicates record information per SN T521.
- () Indicates record information per SN 1758B, 1841B or 1953B.
- V-, P- Indicates an instrument recorded by Volume and Page of the Deed Records of Jackson County, Oregon.
- INST Indicates an instrument recorded by number pursuant to the Official Records of Jackson County, Oregon.
- SF Indicates the number of square feet within a closed area.
- WITM Indicates a set Witness Monument.
- PSDE Indicates a Private Storm Drain Easement, being created hereon.
- PSSE Indicates a Private Sanitary Sewer Easement, being created hereon.
- PUE Indicates a Public Utility Easement, being created hereon.
- SSE Indicates a Public Sanitary Sewer Easement, being created hereon.
- SDE Indicates a Public Storm Drain Easement, being created hereon.



I hereby certify that this is an exact copy of the original.
Carl E. Neathamer
Surveyor

LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N00°00'00"E	19.00'	L17	N20°00'20"W	15.19'
L2	N90°00'00"W	15.50'	L18	S19°59'40"W	15.24'
L3	N90°00'00"E	25.37'	L19	N26°23'38"W	21.37'
L4	N90°00'00"W	10.00'	L20	N27°39'39"E	27.44'
L5	S00°00'00"E	15.00'	L21	S27°44'27"E	27.43'
L6	N11°34'55"	15.56'	L22	S26°19'40"W	27.32'
L7	N00°00'00"E	10.00'	L23	N90°00'00"W	9.27'
L8	N00°00'00"E	5.00'	L24	N90°00'00"E	9.20'
L9	S00°00'00"E	100.09'	L25	N00°00'00"E	10.00'
L10	N90°00'00"W	19.00'	L26	S00°00'00"E	10.00'
L11	N40°19'52"W	24.42'	L27	N90°00'00"E	9.18'
L12	N25°06'03"E	20.51'	L28	N90°00'00"W	9.34'
L13	S40°19'53"E	26.48'	L29	N35°33'43"W	15.83'
L14	S25°06'03"W	31.35'	L30	N33°16'28"E	20.59'
L15	N53°27'36"W	34.31'	L31	S35°33'43"E	20.53'
L16	S55°56'30"W	40.01'	L32	S33°16'28"W	17.28'

CURVE TABLE

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°00'00"	20.00'	31.42'	N45°00'00"E	28.28'
C2	90°00'00"	20.00'	31.42'	S45°00'00"E	28.28'
C3	90°00'00"	20.00'	31.42'	S45°00'00"W	28.28'
C4	90°00'00"	20.00'	31.42'	N45°00'00"W	28.28'
C5	23°57'48"	20.00'	8.36'	N78°01'06"W	8.30'
C6	15°17'28"	20.00'	5.34'	N58°22'28"W	5.32'
C7	90°00'00"	10.00'	15.71'	N45°00'00"E	14.14'
C8	90°00'00"	20.00'	31.42'	S45°00'00"W	28.28'
C9	90°00'00"	15.00'	23.56'	N45°00'00"W	21.21'
C10	90°00'00"	15.00'	23.56'	N45°00'00"E	21.21'

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

PURPOSE: Perform a boundary survey and prepare a Final Plat pursuant to Client's instructions and as approved by the City of Medford Planning Commission (File No. LDS-11-036).

PROCEDURE: Utilizing a Trimble S6 robotic instrument, Trimble 5700 GPS Equipment and Trimble Data Collectors with Trimble Survey Controller Software, all found monuments were tied via closed traverses or by redundant ties. Records utilized: Instruments Numbered 2004-041947 and 2013-002886 of the Official Records of Jackson County, Oregon; Fair Oaks Orchard Tracts, recorded September 15, 1910, in Volume 2 of Plats at Page 50 of the Records of Jackson County, Oregon; Summerfield At South East Park, Phase 1, recorded December 11, 2002, in Volume 28 of Plats at Page 64 of the Records of Jackson County, Oregon (also filed as Survey Number 1758B in the office of the Jackson County Surveyor); Summerfield At South East Park, Phase 5, recorded February 28, 2007, in Volume 33 of Plats at Page 13 of the Records of Jackson County, Oregon (also filed as Survey Number 1953B in the office of the Jackson County Surveyor); Summerfield At South East Park, Phase 8, recorded June 8, 2008, in Volume 34 of Plats at Page 28 of the Records of Jackson County, Oregon (also filed as Survey Number 20064 in the office of the Jackson County Surveyor); and, Surveys Numbered 1227 and T521, as filed in the office of the Jackson County Surveyor.

Utilizing said robotic and GPS equipment, tied the monuments marking the centerline of Calle Vista Drive per said Phases 1 and 5 (Surveys Numbered 1758B and 1953B respectively), to establish the Basis of Bearings hereon.

From which, search and tied controlling corners of Fair Oaks Orchard Tracts, Summerfield At South East Park, Phases 5 and 8, and utilized Surveys Numbered 1227 and T521, and Instruments Numbered 2004-041947 and 2013-002886 to compute the exterior boundary of the parent tract. Utilizing the resolved boundaries, computed the exterior of Tract A and Phase 11A, and the interior corners of said 11A.

Monuments depicted hereon, were established between April 3, 2013, through May 15, 2013.

**** RECEIVED ****
DATE 9-26-13 BY *[Signature]*
This survey consists of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR

Carl E. Neathamer
OREGON JULY 9, 2001
CAEL E. NEATHAMER 56545
Renewal Date 12/31/14

PREPARED BY: **Neathamer Surveying, Inc.**
3126 State St, Suite 203
P.O. Box 1584
Medford, Oregon 97501
Phone (541) 732-2869
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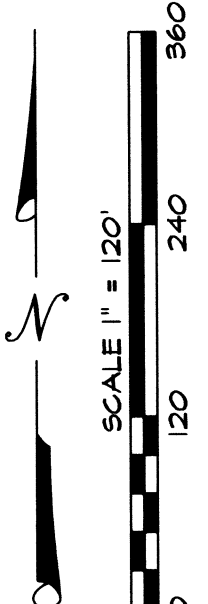
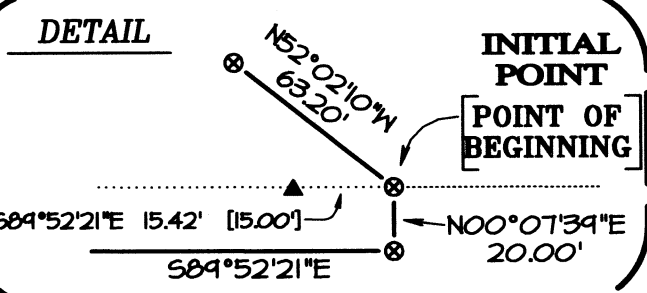
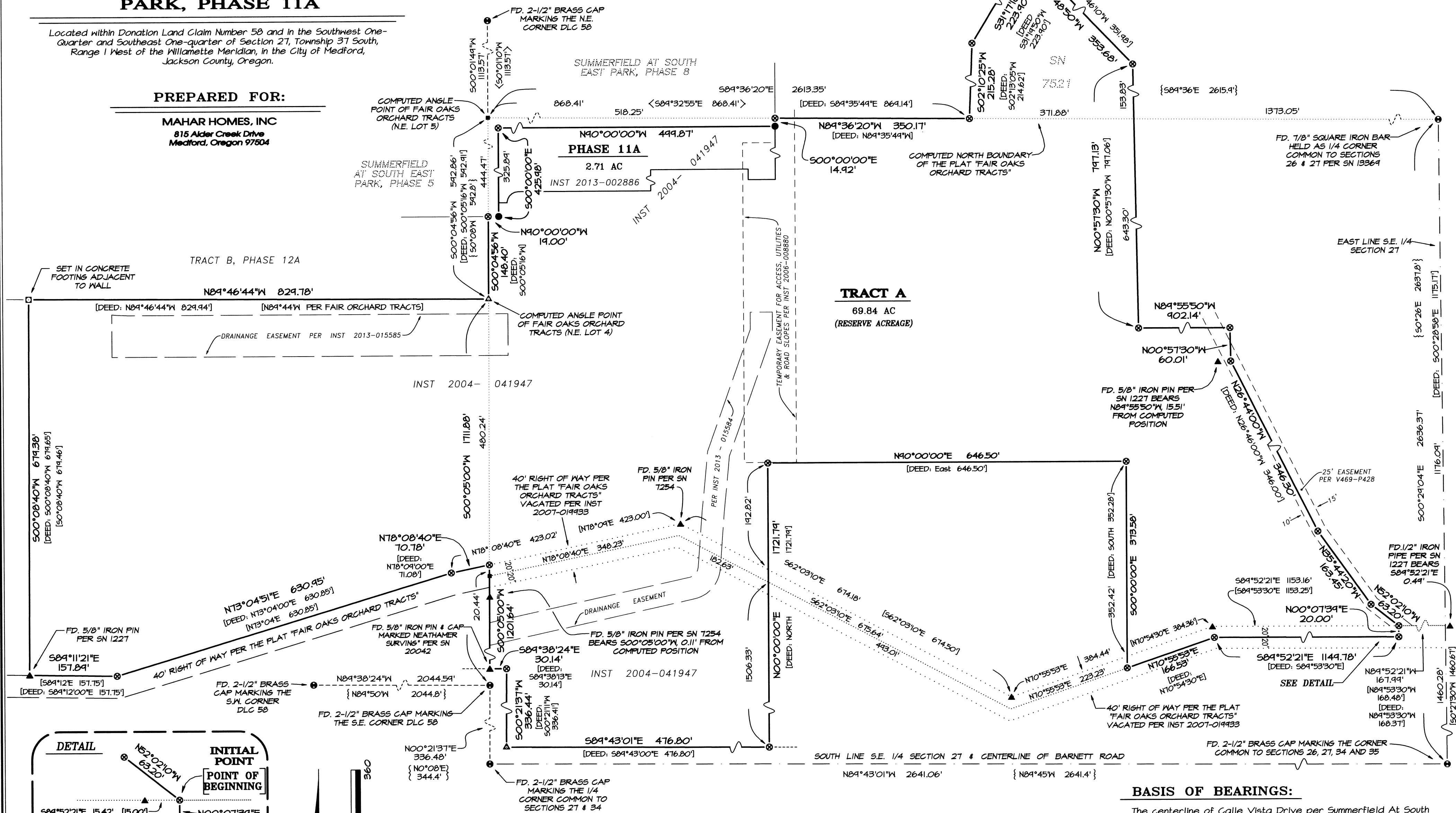
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SUMMERFIELD AT SOUTH EAST PARK, PHASE 11A

Located within Donation Land Claim Number 58 and in the Southwest One-quarter and Southeast One-quarter of Section 27, Township 37 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

PREPARED FOR:

MAHAR HOMES, INC
815 Alder Creek Drive
Medford, Oregon 97504



SEE SHEET 3 FOR SURVEY NARRATIVE, LEGEND, LINE AND CURVE TABLES

**** RECEIVED ****
DATE 9-26-13 BY [Signature]
This survey consists of:
3 sheet(s) Map
0 page(s) Narrative
JACKSON COUNTY SURVEYOR

REGISTERED PROFESSIONAL LAND SURVEYOR
Cael E. Neathamer
OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545
Renewal Date 12/31/14

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Sheet 2 of 3 © CN