

DECLARATION

KNOW ALL PERSONS BY THESE PRESENTS, that WCS ENTERPRISES LLC, an Oregon limited liability company, hereinafter referred to as Declarant, is the fee title owner of the real property depicted hereon and more particularly described in the "SURVEYOR'S CERTIFICATE" herewith. Declarant hereby declares that the plat is a correct representation of the land as laid out by us and designate this as WAREHOUSE CONDOMINIUMS AT EAGLE POINT, and do hereby commit the land and improvements shown on this plat to the operation of the Condominium Law as set forth in ORS Chapter 100 and that said land and improvements are subject to the provisions of ORS 100.005 to 100.625. WAREHOUSE CONDOMINIUMS AT EAGLE POINT shall be subject to (1) the Declaration of Condominium Ownership for WAREHOUSE CONDOMINIUMS AT EAGLE POINT and (2) the By-Laws of the WAREHOUSE CONDOMINIUMS AT EAGLE POINT ASSOCIATION to be recorded simultaneously with this plat.

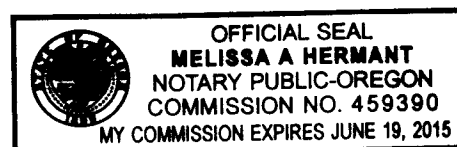
IN WITNESS WHEREOF, signed this 15<sup>th</sup> day of MAY, 2014.

Wayne A. Zallen, Manager WCS Enterprises, LLC

STATE OF OREGON County of Jackson

This Instrument was acknowledged before me on May 15, 2014, 2014, by Wayne A. Zallen, Manager of WCS Enterprises, LLC.

Melissa Q. Hermant, Notary Public-State of Oregon



RELEASE

Peoples Bank of Commerce, as holders of beneficiary interest under that certain Trust Deed dated October 15, 2013, recorded October 16, 2013, as Instrument Number 2013-035799 of the Official Records of Jackson County, Oregon, do hereby release from lien of said Trust Deed all property shown hereon as dedicated to public use and consent to the conversion of the property to condominiums.

Signed this 15<sup>th</sup> day of MAY, 2014.

Ken Trautman, President Peoples Bank of Commerce

STATE OF OREGON County of Jackson

This Instrument was acknowledged before me on 5/15, 2014, by Ken Trautman, President of Peoples Bank of Commerce.

Melissa Q. Hermant, Notary Public-State of Oregon



SURVEYOR STATEMENT TO COMPLY WITH PARAGRAPH 100.115(2d), OREGON REVISED STATUTES

This plat accurately depicts the boundaries of the units and that the construction of the buildings, units and common elements as depicted on the Plat are complete.

THE DECLARATION OF CONDOMINIUM OWNERSHIP, COVENANTS, CONDITIONS AND RESTRICTIONS HAVE BEEN RECORDED AS INSTRUMENT NUMBER 2014-15805 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

THE BYLAWS OF WAREHOUSE CONDOMINIUMS AT EAGLE POINT ASSOCIATION HAVE BEEN RECORDED AS "EXHIBIT B" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR WAREHOUSE CONDOMINIUMS AT EAGLE POINT.

SHEET INDEX table with 3 rows: SHEET 1: TITLE (THIS SHEET), SHEET 2: PLAT SHEET, SHEET 3: BUILDING UNIT DETAILS

\*\* RECEIVED \*\* DATE 6-25-14 BY Jma This survey consists of 3 sheet(s) Map 2 page(s) Narrative JACKSON COUNTY SURVEYOR

WAREHOUSE CONDOMINIUMS AT EAGLE POINT

A replat of Parcel 2 of Partition Plat No. P-64-2004, being located in the Northeast One-quarter of the Northeast One-quarter of Section 17, Township 36 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

PREPARED FOR:

WCS ENTERPRISES, LLC 2944 Delta Waters Road Medford, OR 97504

SURVEYOR'S CERTIFICATE:

I, Carl 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 shown hereon and that this plat is a correct representation of said tract and that the following is an accurate description of the boundary:

All that real property described in Instrument Number 2013-037567 of the official records of Jackson County, Oregon, being located in the Northeast One-quarter of the Northeast One-quarter of Section 17, Township 36 South, Range 1 West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon, more particularly described as follows:

Parcel Two (2) of Partition Plat No. P-64-2004, recorded October 5, 2004, in Record of Partition Plats in Jackson County, Oregon, and filed as Survey No. 18451, in the Office of the County Surveyor.

Carl E. Neathamer, Surveyor

I hereby certify that this is an exact copy of the original.

Carl E. Neathamer, Surveyor

NOTES:

WAREHOUSE CONDOMINIUMS AT EAGLE POINT IS SUBJECT TO THE FOLLOWING MATTERS OF RECORD:

THE EFFECT OF THE SUBJECT PROPERTY BEING LOCATED WITHIN THE URBAN RENOVATION AREA OF WHITE CITY, AS THE SAME IS IDENTIFIED AND DEFINED IN INSTRUMENT NO. 92-12658.

REGULATIONS, INCLUDING LEVIES, LIENS ASSESSMENTS, RIGHTS OF WAY AND EASEMENTS OF THE ROGUE VALLEY SEWER SERVICES.

REGULATIONS, INCLUDING LEVIES, ASSESSMENTS, WATER AND IRRIGATION RIGHTS AND EASEMENTS FOR DITCHES AND CANALS OF THE ROGUE RIVER VALLEY IRRIGATION DISTRICT.

RESERVATION FOR UTILITY LINES, EASEMENTS, LICENSES AND PERMITS FOR ROADS, INCLUDING ALL INCIDENTALS AND PROPERTY THERETO, AS NOTED IN DEED, RECORDED IN VOLUME 325 AT PAGE 83 IN THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

TERMS, PROVISIONS AND CONDITIONS, INCLUDING BUT NOT LIMITED TO MAINTENANCE PROVISIONS CONTAINED IN INSTRUMENTS: NUMBERED 88-23614 (RE-RECORDED AS INSTRUMENT NO. 88-24178), 84-25328, 92-25123, 93-35178, AND, 96-03556, ALL OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

RESTRICTIVE COVENANT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 90-24109, AND AN AFFIDAVIT REGARDING SAID RESTRICTIVE COVENANT PER INSTRUMENT NO. 2007-042105, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 97-32165, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, IN FAVOR OF BEAR CREEK VALLEY SANITARY AUTHORITY FOR SEWER LINES. (NOT LOCATED WITHIN THE SUBJECT PROPERTY).

AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 97-34108, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, IN FAVOR OF PACIFICORP, AN OREGON CORPORATION, FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY. (NOT LOCATED WITHIN THE SUBJECT PROPERTY).

RESTRICTIVE COVENANT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2004-025261, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

ANY RIGHTS, INTERESTS, OR CLAIMS WHICH MAY EXIST OR ARISE BY REASON OF THE FOLLOWING MATTERS DISCLOSED BY PARTITION PLAT NO. P-64-2004, RECORDED OCTOBER 5, 2004, IN RECORD OF PARTITION PLATS IN JACKSON COUNTY, OREGON: THE FACT THAT THE FENCE ALONG THE WESTERLY BOUNDARY LINE DOES NOT COINCIDE WITH THE RECORD PROPERTY LINE. (FENCE NO LONGER EXISTS).

AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2007-007193, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, FOR SEWER EASEMENT. (NOT LOCATED WITHIN THE SUBJECT PROPERTY).

AN EASEMENT CREATED BY INSTRUMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2007-034255, OFFICIAL RECORDS OF JACKSON COUNTY, OREGON, FOR SEWER EASEMENT. (DEPICTED).

TRUST DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2007-042106, OFFICIAL RECORDS, JACKSON COUNTY, OREGON. TRUSTOR: MEK DUTTON, LLC; TRUSTEE: AMERITITLE; BENEFICIARY: PEOPLES BANK OF COMMERCE, AND FURTHER MODIFIED PER INSTRUMENTS NUMBERED 2009-011261, 2009-033451, 2009-043226, 2010-034035, 2011-009886 AND 2013-025826.

AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2007-046481 AND AMENDED BY INSTRUMENT NO. 2007-048750, OFFICIAL RECORDS, JACKSON COUNTY, OREGON.

AN EASEMENT, INCLUDING THE TERMS AND PROVISIONS THEREOF, IN FAVOR OF PACIFICORP, AN OREGON CORPORATION, OR ITS PREDECESSORS OR SUCCESSORS IN INTEREST, PER INSTRUMENT NO. 2007-047479, OFFICIAL RECORDS, JACKSON COUNTY, OREGON. (DEPICTED).

TERMS, PROVISIONS AND CONDITIONS, INCLUDING BUT NOT LIMITED TO MAINTENANCE PROVISIONS CONTAINED IN WATER USE DECLARATION AGREEMENT AND EASEMENT PER INSTRUMENT NO. 2007-046481 AND AMENDED BY INSTRUMENT NO. 2007-048750, OFFICIAL RECORDS, JACKSON COUNTY, OREGON.

ASSIGNMENT OF RENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENTS NUMBERED 2007-042107 AND 2010-034036, OFFICIAL RECORDS, JACKSON COUNTY, OREGON, FROM MEK DUTTON LLC, TO PEOPLES BANK OF COMMERCE.

ASSIGNMENT OF RENTS, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2013-035800 FROM MEK DUTTON LLC, AN OREGON LIMITED LIABILITY COMPANY TO PEOPLES BANK OF COMMERCE.

TRUST DEED, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NO. 2013-035799, TRUSTOR: MEK DUTTON, LLC; TRUSTEE: AMERITITLE, TRUSTEE; BENEFICIARY: PEOPLES BANK OF COMMERCE.

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250, OREGON REVISED STATUTES

PURPOSE: Pursuant to client's instructions, survey and monument the exterior boundary of the parent tract of land, and to prepare and record the plat for WAREHOUSE CONDOMINIUMS AT EAGLE POINT.

PROCEDURE: Utilizing a Trimble 56 robotic instrument, a Trimble TSC2 with Trimble Survey Controller software and a TSC3 with Access software, all found monuments were tied within closed loop traverses or via redundant ties. Records utilized: Instrument Number 2013-037567 of the Official Records of Jackson County, Oregon; a plat recorded October 5, 2004 as Partition Plat Number P-64-2004 of the Records of Partition Plats, Jackson County, Oregon, also filed as Survey Number 18451 in the office of the Jackson County Surveyor; WEST DUTTON WAREHOUSE CONDOMINIUMS, recorded September 27, 2007, in Volume 33 of Plats at Page 60 of the Records of Jackson County, Oregon, recorded as Instrument Number 2007-045084 of the Official Records of Jackson County, Oregon, and filed as Survey Number 19770 in the office of the Jackson County Surveyor.

Utilizing control previously established and monuments previously tied via Survey Number 19770, said Instrument Number 2013-037567 and Partition Plat Number P-64-2004, established the exterior boundary of the subject tract hereon. From which, tied improvements, located each unit and drafted the resultant plat hereof.

Monuments for the exterior boundary were established on December 12, 2013.

APPROVALS:

Examined and approved this 12<sup>th</sup> day of JUNE, 2014.

Wito Klemm (DEPUTY), Jackson County Surveyor

FILED SURVEY NUMBER: 21503

All taxes, fees, assessments, or other charges as required by O.R.S. 100.110 have been paid as of June 25, 2014.

Shannon Bell, Tax Collector; Tammy Miller - Deputy, Deputy

Examined and approved as required by O.R.S. 92.100 this 25<sup>th</sup> day of June, 2014.

Josh Gibson, Assessor; Amy Abbott, Deputy

RECORDING

FILED FOR RECORD THIS 25<sup>th</sup> DAY OF June, 2014, AT 2:55 O'CLOCK P.M. AND RECORDED IN VOLUME 40 OF PLATS AT PAGE 8 OF THE RECORDS OF JACKSON COUNTY, OREGON.

Christina D. Walker, County Clerk; Sonya S. Morgan, Deputy

APPROVED FOR RECORDING: County Commissioner/Administrator; Date 6/25/14

REGISTERED PROFESSIONAL LAND SURVEYOR

Carl E. Neathamer, OREGON JULY 9, 2001 CAEL E. NEATHAMER 58545, 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 FAX (541) 732-1382

PLOT DATE: May 14, 2014 PROJECT NUMBER: 13050 Sheet 1 of 3 © CN



# WAREHOUSE CONDOMINIUMS AT EAGLE POINT

A replat of Parcel 2 of Partition Plat No. P-64-2004, being located in the Northeast One-quarter of the Northeast One-quarter of Section 17, Township 36 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon.

PREPARED FOR:

WCS ENTERPRISES, LLC  
2944 Delta Waters Road  
Medford, OR 97504

**LINE TABLE**

LINE	BEARING	DISTANCE
L1	S89°37'00"E	46.70'
(L1)	S89°37'00"E	46.70'
L2	S28°25'40"E	45.65
(L2)	S28°25'40"E	45.65
L3	S89°37'00"E	60.00'
(L3)	S89°37'00"E	60.00'
L4	N29°11'40"E	45.65'
(L4)	N29°11'40"E	45.65'

PARCEL 3  
PARTITION PLAT NO. P-64-2004  
(SN 18451)

PARCEL 1  
PARTITION PLAT NO. P-64-2004  
(SN 18451)

**LEGEND:**

- ⊗ Indicates a set 5/8-inch diameter by 30-inches long iron pin with plastic cap marked "NEATHAMER SURVEYING".
- Indicates a found brass cap as indicated hereon.
- Indicates a found 5/8-inch diameter iron pin with an orange plastic cap marked "KAMPMANN PLS 2883", per SN 18451.
- ⊙ Indicates a found 2-inch diameter aluminum cap stamped "INITIAL POINT", per SN 18451.
- Indicates a found 5/8-inch diameter iron pin with a yellow plastic cap marked "JACKSON CO PUBLIC WORKS", per SN 15791.
- Indicates a found tag in concrete stamped "L5 2349", per SN 18303.
- ▲ Indicates a found 5/8-inch diameter iron pin with a yellow plastic cap marked "D. HOFFBUHR L5 1640" per SN 12975.
- Indicates a computed position.
- ( ) Indicates record information per SN 18451.
- (( )) Indicates record information per SN 18303.
- SN Indicates a survey recorded by number in the office of the Jackson County Surveyor.
- SF Indicates the number of square feet within a closed area.
- GCE Indicates General Common Element.
- FUE Indicates a Public Utility Easement.
- PSDE Indicates a Private Storm Drain Easement.
- PSSE Indicates a Private Sanitary Sewer Easement.
- 1.00' WIT Indicates a set 1.00' Witness Monument.

**SURVEY BASIS:**

**BASIS OF BEARINGS:** Partition plat recorded October 5, 2004, as Partition Plat No P-64-2004 of the Records of Partition Plats in Jackson County, Oregon; Index Volume 15, Page 64.

**BASIS OF ELEVATIONS:** Jackson County Global Positioning System (GPS) Control Point Number 132, being a brass cap marking the Section Corner common to Sections 20, 21, 28 and 29, Township 36 South, Range 1 West of the Willamette Meridian. Published elevation for said point: 1326.05 feet on the vertical datum of NGVD 29(47).

WEST DUTTON ROAD  
(CENTERLINE)

589°37'00"E 224.30'  
(589°37'00"E)  
157.50' (157.50')

60.00' (60.00')  
10' PRIV. UTILITY EASE. (SN 18451)

6.80' (6.80')

1.00' WIT

10'

10'

30'

10.00'

30.00'

842.94'

104.86' (104.86')

10' PRIV. UTILITY EASE. (SN 18451)

10' PRIV. UTILITY EASE. (SN 18451)

10'

10'

10'

10'

10'

10'

500°23'00"W 40.00'

452.80' (452.80')

453.37'

10' PRIV. UTILITY EASE. (SN 18451)

10' PRIV. UTILITY EASE. (SN 18451)

10'

10'

10'

10'

10'

10'

500°23'00"E 375.04' (500°23'00"E 375.04')

10' PRIV. UTILITY EASE. (SN 18451)

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15' WIDE SEWER EASEMENT PER INST 2007-007192

15' WIDE SEWER EASEMENT PER INST 2007-034255

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15' WIDE SEWER EASEMENT PER INST 2007-034254

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