

APPROVAL
Charles Bennett
JACKSON COUNTY DEVELOPMENT SERVICES
FILE NO. SUB2013-00068 PLA

6-5-15
DATE

MAP OF SURVEY
PROPERTY LINE ADJUSTMENT

LYING SITUATE WITHIN
NORTHWEST QUARTER OF SECTION 29
TOWNSHIP 38 SOUTH, RANGE 3 WEST, WILLAMETTE MERIDIAN
JACKSON COUNTY, OREGON

FOR
Adrian Cortez
5194 Trail Canyon Drive
Mira Loma, California

LEGEND

- ⊗ DONATION LAND CLAIM CORNER AS DESCRIBED PER JACKSON COUNTY SURVEYOR RE-ESTAB. NOTES & S/N 18405 (RECOVERED)
- ⊙ 2" B.L.M. ALUMINUM CAPPED IRON PIN PER S/N 18405 (RECORD)
- 5/8" IRON PIN, NO MARKINGS, PER S/N 3424, 3951, 5825 & 18468 (RECORD)
- ⊗ 5/8" IRON PIN, NO MARKINGS, PER S/N 3894 & 20002 (RECORD)
- 5/8" x 24" IRON PIN w/ ORANGE PLASTIC CAP STAMPED "KAMPMANN PLS 2883" PER S/N 18405 & 18468 (RECORD)
- ⊙ 5/8" x 24" IRON PIN w/ ORANGE PLASTIC CAP STAMPED "KAMPMANN PLS 2883" PER S/N 20002 (RECOVERED)
- 5/8" x 24" IRON PIN w/ ORANGE PLASTIC CAP STAMPED "KAMPMANN PLS 2883" (ESTABLISHED)
- PROPERTY LINE
- - - ADJUSTED PROPERTY LINE
- BOUNDARY LINE
- BOUNDARY LINE
- CENTERLINE
- - - EASEMENT LINE
- x-x-x-x FENCELINE
- S/N SURVEY FILE NUMBER, JACKSON COUNTY SURVEYOR
- O.R. OFFICIAL RECORDS, JACKSON COUNTY RECORDER
- W.C. WITNESS CORNER REFERENCE MONUMENT
- D.L.C. DONATION LAND CLAIM CORNER
- { } SURVEY RECORD DATA PER S/N 20002
- {{ }} SURVEY RECORD DATA PER S/N 3424 & 3894
- < > SURVEY RECORD DATA PER S/N 18405 & 18468
- () DEED RECORD DATA PER O.R. 2007-051664
- [] DEED RECORD DATA PER O.R. 2014-031655, 2014-031656 & 2014-031657

SCALE: 1" = 100'

O.R. 2014-031657
42.22 ACRES +/-

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE EAST LINE OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN IN JACKSON COUNTY, OREGON, HAVING A RECORD BEARING OF NORTH 00°14'12" WEST, AS REFERENCED BY SURVEY NO. 20002, ON FILE IN THE OFFICE OF THE JACKSON COUNTY SURVEYOR.

TABLE OF CURVES

FLAG	Δ	R	A	T	CHORD
①	17°39'13"	477.46'	147.11'	74.14'	S 75°05'24" W - 146.53'
②	17°39'13"	507.46'	156.36'	78.80'	S 75°05'24" W - 155.74'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Shawn Kampmann

OREGON
JULY 14, 1998
SHAWN KAMPMANN
2883 LS

RENEWAL DATE: 6/30/2009

SURVEYED BY:
POLARIS LAND SURVEYING LLC
P.O. BOX 459
ASHLAND, OREGON 97520
(541) 482-5009

DATE: MARCH 18, 2015
PROJECT NO. 417-06

** RECEIVED **
Date 6/5/15 By PB
This survey consists of
1 sheet(s) Map
3 page(s) Narrative
JACKSON COUNTY
SURVEYOR

PROCEDURE: (cont.) 183.41 feet (Deed Record 200.0') because of bearing of first course. The 200.0 feet "more or less" for the last course along said "East line" actually measures a distance of 279.75 feet to the point of beginning.

The second issue that arose while conducting this survey, is that I found a few drafting and labeling errors on Survey No. 20002. The boundary for Tract B was not shown correctly following the proper rules of construction, but it was also not the intention of that map to survey nor monument that portion of said tract for the property line adjustment. The boundary has been corrected as shown on this survey. Also, I found distance labeling errors between the two established monuments on the proposed *adjusted* east line of that survey which are corrected herein by this survey. The two monuments set 50 feet apart on the south line of the adjustment per Survey No. 20002 were previously established on the irrigation canal slope in 2008 while dry and covered in blackberries, so I established two 24.72 foot witness corners which are more easily accessible by this survey and can be used to determine the line during irrigation season when the canal is full of water.

The east line of said Tract A and Tract B in Document No. 2007-051664, was monumented per Survey No. 20002. The south line of Tract A, was previously surveyed and monumented along the old Kubli Ditch by Survey No. 18468. The northwest corner of said Tract A was monumented at the intersection of the south line of Highway 238 with the West line of the West Half of the Southeast Quarter of the Northwest Quarter of Section 29. The north line of both Tracts A and B is the south line of Highway 238 which was determined by holding right of way monuments along the north line of the highway established by Verlyn Thomas on Survey No.'s 3824 and 3894. Thomas' record map bearing of South 83°55'00" West from Survey 3824 was held for the west tangent. The northeasterly tangent bearing was determined by holding Thomas' two monuments from Survey No. 3894. The survey record radius of 477.46 feet per Oregon State Highway Department July 1936 survey for Provolt-Ruch Section, Medford-Provolt Highway, Drg. No. 58-7-8 between stations 132+60.4 P.C. and 134+04.0 P.T. was held and utilized to calculate the curve at the point of intersection (P.I.) of the two tangents. This alignment fit extremely well with the as-built physical centerline of the highway that we surveyed throughout this section.

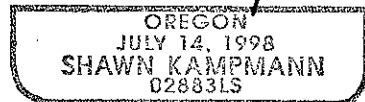
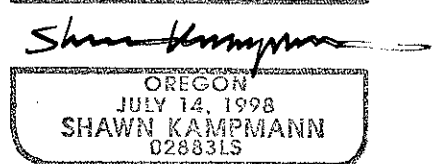
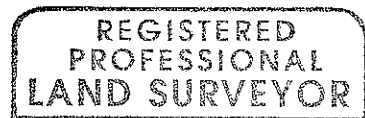
BASIS OF BEARING: The Basis of Bearing for this survey is the East line of the West Half of the Southeast Quarter of the Northwest Quarter of Section 29 in Township 38 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon, having a record bearing of North 00°14'12" West, as referenced by Survey No. 20002, on file in the office of the Jackson County Surveyor.

DATE: March 18, 2015

PREPARED BY: Shawn Kampmann,
Professional Land Surveyor

POLARIS LAND SURVEYING, LLC
P.O. Box 459
Ashland, Oregon 97520

(541) 482-5009



Renewal Date: 6/30/2015

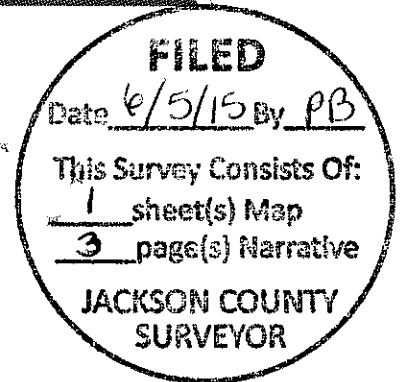
PROCEDURE: (cont.) included in the Cortez property, but retain the remaining area in said strip south of the irrigation ditch which was overgrown with blackberries.

In 2007, Cortez conveyed both of his tracts to Eric and Bettina Hice by deed in Document No. 2007-051664, apparently under the belief that his local agent had finalized the proposed property line adjustment which had not been completed. Hice later initiates legal action to have Cortez finalize the property line adjustment which they had understood had been done when they purchased the property from Cortez, but the planning action had expired by then and this would require a new planning application and approval by Jackson County. At this time I am asked by Cortez to proceed again with the property line adjustment per the "proposed" line monumented in Survey No. 20002. In the meantime, Hice's convey Tract B to Susanna Reid by deed in Document No. 2013-010578, and she now becomes a party to the property line adjustment as well. Sometime thereafter, Hice's construct a steel shop building west of an existing fence line that they claim to be on their common boundary with the property that they sold to Reid. The fence zig-zags through the middle of the Reid parcel which would not be characteristic of a boundary fence along a straight boundary line. Since both tracts A and B had been in the same ownership since they were created from one parent parcel, it appears that this fence was intended to keep animals contained outside of the homesite area.

In the time span since the 2006 survey was begun, Jackson County had now changed their policy for property line adjustments, where now it was being required to survey and monument the entirety of both parcel boundaries if less than ten acres, not just the "adjusted" line as was the accepted policy prior. This now meant I would be required to survey and all the other lines of both said tracts A and B. It was not the intention of Survey No. 20002 to accurately locate the remaining lines of these tracts, other than the east line that was proposed to be adjusted. When I began my survey deed research of the additional boundary lines, I see from an aerial photo of the site that the new Hice shop building is clearly encroaching over into Reid's property. This discovery began a legal feud between Hice and Reid which threatened to derail the property line adjustment of the Hice and Reid properties with Walker's. Hice and Reid both retained attorney's and after much legal wrangling, it was finally agreed by Hice and Reid to continue with the Cortez funded property line adjustment to get their east lines legally resolved. At that time I was asked by the attorney's representing both Hice and Reid to prepare the legal descriptions for the proposed adjustment with Walker so they could be recorded as soon as possible while the parties were still in agreement so Cortez could complete his legal contractual responsibility.

Therefore I had to write the legal descriptions before I had been able to complete my boundary determination of the remaining property lines now required to be surveyed by Jackson County. I purposely wrote the legal descriptions specifically with calls to monuments and deed lines, so that if there were any differences in metes and bounds calls after I had finalized my survey, the calls to monuments and deed lines would hold in precedence per Oregon Revised Statutes 93.310 (2).

A couple issues arose during the course of this survey which were resolved. The point of beginning for Tract B described in deed Document No. 2007-051664 is called out as the intersection of the above referenced "East line of the West Half of the Southeast Quarter of the Northwest Quarter of Section 29" with the south line of Highway 238, thence "westerly following said Highway 200.0 feet; thence South 200.0 feet; thence East 200.0 feet; thence North 200.0 feet, *more or less*, to the point of beginning." The highway in this location runs in a southwesterly direction which I follow "along" for the 200.00 feet deed call, thence south, parallel with said described "East line" the next deed call of 200.00 feet. From this southwest corner of Tract B, I run record angle of 90 degrees from the west line to intersect said "East line" which is only

SURVEY NO. 21729

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

SURVEY FOR: Adrian Cortez
5194 Trail Canyon Drive
Mira Loma, CA 91752

LOCATION: The Northwest Quarter of Section 29, Township 38 South, Range 3 West, Willamette Meridian, Jackson County, Oregon.

PURPOSE: To survey and monument a Property Line Adjustment between those tracts of land described within Instrument No. 2007-051664 of the Official Record in Jackson County, Oregon, by those deeds recorded within Instrument No. 2014-031655, 2014-031656 and 2014-031657 of said Records, in order to complete a property line adjustment originally initiated in 2006 by a legal action, but which was not properly finalized. This survey is also to correct and supercede drafting errors discovered from Survey No. 20002 within the boundaries of the subject properties and the alignment for Highway 238, as described herein.

PROCEDURE: Utilizing a Leica 1200 Smart Rover GNSS receiver operating in the ODOT/ ORGN network, in conjunction with a Leica TCRP 1200 robotic total station and ranging prisms, in conjunction with survey control previously established by this office during the performance of Survey No.'s 18405, 18468 & 20002, I survey the lands as shown hereon.

A Map of Survey filed as Survey No. 20002 in the office of the Jackson County Surveyor on April 7, 2008, denoting a "proposed" property line adjustment, started out as a Boundary Line Agreement (BLA) where three monuments were established along the "proposed" BLA line per the agreement between Adrian Cortez, owner of Tracts A and B described within Document No. 92-33672 and Rob & Sherry Walker, owners of the land described within Document No. 2004-035874. At that time, it was not necessary to fully survey the entire boundaries of said Tracts A and B. The common line between the Cortez and Walker properties was described by deed as being "the East line of the West Half of the Southeast Quarter of the Northwest Quarter of Section 29" lying southerly of the south line of Highway 238 and lying northerly of the old Kubli Ditch. In order to determine this line, it was necessary to survey said Northwest Quarter of the section. I had previously determined the south line of said Northwest Quarter in 2004, denoted on Survey No.'s 18405 and 18468. On Survey No. 20002, I surveyed the Northwest corner and the North Quarter corner of said Section 29, from which I then subdivide the Northwest Quarter section to determine said West Half of the Southeast Quarter Quarter. This survey verified a 50 foot wide encroachment between said East line and an existing field fence along the west side of Walker's field, which included a driveway, garage, barn and out-building. Walker's agreed to adjust the boundary so the existing buildings, driveway and access to an irrigation ditch would be