### **DECLARATION**

KNOW ALL PERSONS BY THESE PRESENT, that MAHAR HOMES, INC., an Oregon corporation, MAHAR BROTHERS HOLDINGS, LLC, an Oregon limited liability company, and CRYSTAL SPRINGS DEVELOPMENT GROUP, A JOINT VENTURE, hereinafter referred to as DECLARANTS, are the owners 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, street rights-of-way and easements, as depicted, and do hereby designate this subdivision as SUMMERFIELD AT SOUTH EAST PARK, PHASE 15. Declarants hereby dedicate Windgate Avenue and Sunleaf Avenue for right-of-way purposes, and those areas designated as a 1.00-foot Wide Non-Access Strip, all as depicted, to the City of Medford. By the approval of this plat, the City of Medford declares that upon dedication of the extension of the affected streets, said Non-Access Strips shall be dedicated for public street purposes. Declarants hereby dedicate, for public use, those areas depicted as Public Utility Easements. Declarants hereby create those Private Storm Drain Easements, being over, through and across Lots 453 through 482, being for the use and benefit of Lots 454, 455, 457 through 467, 469, 470, 472 through 481 hereof; and, for the use and benefit of Lots 445 through 452, Summerfield At South East Park, Phase 14 and the future lots of Summerfield At South East Park, Phase 17.

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

LOUIS F. MAHAR, II MEMBER, MAHAR BROTHERS HOLDINGS, LLC

2016, by MICHAEL T. MAHAR.

OFFICIAL STAMP NICOLE E EELLS

NOTARY PUBLIC-OREGON COMMISSION NO. 928055 MY COMMISSION EXPIRES MARCH 12, 2018

wy. uns

STATE OF OREGON

County of Jackson
Signed or attested before me on

NOTARY PUBLIC-OREGON

E OF OREGON

OFFICIAL SEAL
DEBRA K WEBB
NOTARY PUBLIC-OREGON
COMMISSION NO. 468900
MY COMMISSION EXPIRES JUNE 03, 2016

STATE OF OREGON County of Jackson

Signed or attested before me on Oprice 1971, 2016 by Louis F. MAHAR, II.

icole & PULLA-NOTARY PUBLIC-OREGON

# AFFIDAVIT OF DECLARATION

Declaration for this subdivision by Louis F. Mahar, Partner, Crystal Springs Development, A Joint Venture per Instrument Number 2016-10/3493, of the Official Records of Jackson County, Oregon.

### AFFIDAVIT OF CONSENT TO PLAT

Louis F. Mahar, as Grantee and Beneficiary under that certain Trust Deed per Instrument Number 2015-009667 of the Official Records of Jackson County, Oregon, consents and agrees to this Plat and declaration of said Subdivision, accepts all terms and specifications hereof and does hereby release from the lien of said Trust Deed all property shown as dedicated to the public for public use, pursuant to Instrument Number 2016-013455, of the Official Records of Jackson County, Oregon.

## TITLE RELATED NOTES:

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

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

TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS; PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICES OF SUCH PROCEEDINGS, WHIETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS

FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR BY MAKING INQUIRY OF PERSONS IN POSSESSION THEREOF

EASEMENTS, OR CLAIMS OF EASEMENT, NOT SHOWN BY THE PUBLIC RECORDS; RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER.

ANY ENCROACHMENT (OF EXISTING IMPROVEMENTS LOCATED ON THE SUBJECT LAND ONTO ADJOINING LAND OR OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND ONTO THE SUBJECT LAND), ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF SUBJECT LAND.

ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, MATERIAL, EQUIPMENT RENTAL OR WORKERS COMPENSATION HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

WATER RIGHTS, CLAIMS TO WATER OR TITLE TO WATER, WHETHER OR NOT SUCH RIGHTS ARE A MATTER OF PUBLIC RECORD.

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, MATER AND IRRIGATION RIGHTS, EASEMENTS FOR DITCHES AND CANALS AND REGULATIONS CONCERNING THE SAME.

AN EASEMENT, INCLUDING TERMS AND PROVISIONS CONTAINED THEREIN, GRANTED TO THE CALIFORNIA OREGON POWER COMPANY FOR TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, PER VOLUME 426 AT PAGE 144 AND VOLUME 527 AT PAGE 116 OF THE DEED RECORDS OF JACKSON COUNTY OREGON. (SPECIFIC LOCATION NOT DISCLOSED THEREIN. IT SHOULD ALSO BE NOTED THAT NO AERIAL LINES, DISTRIBUTION OR SUPPORT POLES, OR GUY WIRES WERE FOUND WITHIN THE BOUNDS OF PHASE 15 HEREON).

A RESTRICTIVE COVENANT, INCLUDING THE TERMS AND PROVISIONS THEREOF, PER INSTRUMENT NUMBER 2003-013157 OF THE OFFICIAL RECORDS OF JACKSON COUNTY OREGON.

A TEMPORARY EASEMENT GRANTED TO THE CITY OF MEDFORD FOR PUBLIC UTILITIES AND ROAD SLOPES, INCLUDING TERMS AND CONDITIONS THEREOF PER INSTRUMENT NUMBER 2006-008880, IS EXTINGUISHED BY THE DEDICATION OF LONE OAK DRIVE HEREON.

COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS; BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILY STATUS, OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES: PER INSTRUMENT NUMBER 2013-033849 OF THE OFFICIAL RECORDS OF JACKSON COUNTY, OREGON.

Jackson County Assessor's Map: 37 IW 27, Tax Lots 1000, 1010, 1201 € 37 IW 27DB, Tax Lot 400

Drawing N: WSI Projects\Crystal Springs Development Group\I2034 Summerfield\I2034\_FP-CS.pro

### 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 TRACT 3 per Instrument Number 2013-041636 of the Official Records of Jackson County, Oregon, and being a portion of TRACT A, SUMMERFIELD AT SOUTH EAST PARK, PHASE IIA, recorded September 26, 2013, in Volume 39 of Plats at Page IO of the Records of Jackson County, Oregon (filed as Survey Number 21337 in the office of the Jackson County Surveyor). The exterior boundary of which is more particularly described as follows:

### DUAGE IS

Commencing at the northwest corner of said Tract 3, also being the southwest corner of SUMMERFIELD AT SOUTH EAST PARK, PHASE 14, recorded June 10, 2014, in Volume 40 of Plats at Page 6 of the Records of Jackson County, Oregon (also filed as Survey Number 21493 in the office of the Jackson County Surveyor); thence along the common boundary of said Tract 3 and Phase 14, the following courses and distances: thence North 90°00'00" East, 25.00 feet to the TRUE POINT OF BEGINNING; thence continuing North 90°00'00" East, 565.00 feet to the southeast corner of said Phase 14; thence leaving the common boundary of said Tract 3 and Phase 14, South 00°00'00" East, 170.65 feet; thence North 90°00'00" West, 45.00 feet; thence South 00°00'00" East, 175.05 feet; thence North 90°00'00" West, 35.00 feet; thence South 00°00'00" East, 175.05 feet; thence North 89°59'54" West, 10.00 feet; thence South 00°00'00" East, 241.02 feet to a point on the northerly right-of-way per Instrument Number 2015-007194 of the Official Records of Jackson County, Oregon; thence along the northerly and easterly lines of said instrument, the following courses and distances: thence North 90°00'00" West, 455.00 feet to the beginning of a tangent curve to the right, having a radius of 20.00 feet and a central angle of 90°00'00" (the long chord of which bears North 45°00'00" West, 28.28 feet); thence along the arc of said curve, 31.42 feet; thence North 00°00'00" East, 686.76 feet to the Point of Beginning.

### RESERVE ACREAGE (FUTURE PHASES 17, 19, 20, 21 & 22A):

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 OO°29'04" East, along the east line of said Section 27, 1176.09 feet (Record: South OO°28'58" East, 1175.17 feet), to intersect the north line of a 40-foot right-of-way per 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, along said northerly line, 201.44 feet (Record: North 43°46'10" West), to a point at the easterly right-of-way of Crystal Springs Drive, a public street, per Summerfield At South East Park, Phase 14, recorded June 10, 2014, in Volume 40 of Plats at Page 6 of the Records of Jackson County, Oregon, and filed as Survey Number 21493 in the office of the Jackson County Surveyor; thence leaving said northerly line and along the easterly boundary of said Phase 14, the following courses and distances: thence South 00°00'00" East, 265.61 feet; thence North 90°00'00" East, 10.00 feet; thence South 00°00'00" East, 178.75 feet to the southeast corner of said Phase 14; thence leaving said Phase 14 boundary, South 00°00'00' East, 170.65 feet; thence North 90°00'00" West, 45.00 feet; thence South  $00^{\circ}00'00$ " East, 120.04 feet; thence North  $90^{\circ}00'00$ " West, 35.00 feet; thence South  $00^{\circ}00'00$ " East, 175.05 feet; thence North 89°59'54" West, 10.00 feet; thence South  $00^{\circ}00'00$ " East, 272.52 feet; thence North  $90^{\circ}00'00$ " East, 129.79 feet; thence South  $00^{\circ}00'00$ " East, 373.53 feet (Record: 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 leaving said right-of-way, North 00°07'39" East, 20.00 feet to the Point of Beginning.

## RESERVE ACREAGE (FUTURE DEVELOPMENT):

Commencing at the northwest corner of said Tract 3, also being the southwest corner of SUMMERFIELD AT SOUTH EAST PARK, PHASE 14, recorded June 10, 2014, in Volume 40 of Plats at Page 6 of the Records of Jackson County, Oregon (also filed as Survey Number 21493 in the office of the Jackson County Surveyor); thence along the westerly boundary of said Instrument Number 2013-041636, the following courses and distances: thence South 00°00'00" East, 728.20 feet; thence North 90°00'00" West, 26.71 feet; thence South 00°00'00" East, 21.00 feet; thence North 90°00'00" West, 40.31 feet to a curve to the left, having a radius of 470.50 feet and a central angle of 00°19<sup>7</sup>25" (the long chord of which bears South 89°50'18" West, 2.66 feet); thence along the arc of said curve, 2.66 feet to intersect the westerly line of that street right-of-way dedication per Instrument Number 2015-007194 of the Official Records of Jackson County, Oregon and being the TRUE POINT OF BEGINNING; thence continuing along said curve to the left, having a radius of 470.50 feet and a central angle of 21°17'28" (the long chord of which bears South 79°01'51" West, 173.83 feet); thence along the arc of said curve, 174.84 feet; thence South 68°23'07" West, 532.38 feet to a point on the northerly right-of-way of a 40.00 feet wide dedicated road per 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 73°04'51" East, 152.84 feet (Record: North 73°04'00" East); 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 rightof-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'II" West, 336.4I feet); thence South 89°43'OI" SHEET INDEX

East, 476.80 feet (Record: South 89°43'00" East, 476.80 feet); thence leaving said right-of-way, North 00°00'00" East, 1709.74 feet to intersect the southerly line of the aforesaid Instrument Number 2015 -007194; thence North 90°00'00" West, along said southerly line, 52.97 feet; thence North 00°00'00" East, 1.05 feet to the Point of Beginning.

Call E. Neathanny Surveyor

# SUMMERFIELD AT SOUTH EAST PARK, PHASE 15

Located in the Northeast One-quarter and Southeast One-quarter of Section 27, Township 37 South, Range I West of the Willamette Meridian, in the City of Medford, Jackson County, Oregon.

# MAHAR HOMES, INC 815 Alder Creek Drive Mediford, Oregon 97504 I hereby certify that this is an exact copy of the original. Caul E. neathling Surveyor

This survey consists of:

| Head of the content of

PREPARED FOR:

REGISTERED PROFESSIONAL LAND SURVEYOR

Coel E. Reathanns

OREGON
JULY 9, 2001
CAEL E. NEATHAMER
56545

Renewal Date 12/31/16

## APPROVALS:

CITY OF MEDFORD PLANNING FILE NUMBER: LDS-12-004

I certify that, pursuant to the authority gradity of Medford Municipal Code, that this p	
ames E Huber	4-28-/6
Planning Director	Date
Examined and approved this 25 day of	
- City Engineer	City Surveyor
All taxes, fees, assessments, or other cha	rges as required by O.R.S. 92.095
have been paid as of 05.04	. 2016.

Tax Collector	Deputy
Examined and approved as re	equired by O.R.S. 92.100 this day of
	Deputy
Assessor	Deputy

RECORDING	.1			
FILED FOR RECORD THIS ${\rlap/{\!\!\! 4}}$	TOAY OF	May	, 2016 AT	2:37
O'CLOCKA_M. AND RECOR	DED IN VOLU	ME 42 OF PL	ATS AT PAGE <u>/</u>	5 of
THE RECORDS OF JACKSON	COUNTY, ORI		en Delke	mer
County Clerk			Deputy	
		$\cap A$	, ,	

					0 1	0/0
JACKSON C	OUNTY	SURVEYOR'S	FILE	NUMBER:	'2 1	969

Administrator

PREPARED BY:

APPROVED FOR RECORDING:

SHEET 1: TITLE SHEET (THIS PAGE)

END)

SHEET 2: PARENT TRACT BOUNDARY

SHEET 3: PHASE IS PLAT PAGE (NORTH

SHEET 4: PHASE IS PLAT PAGE (SOUTH

END), LEGEND, LINE TABLE,

CURVE TABLE AND DETAILS

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

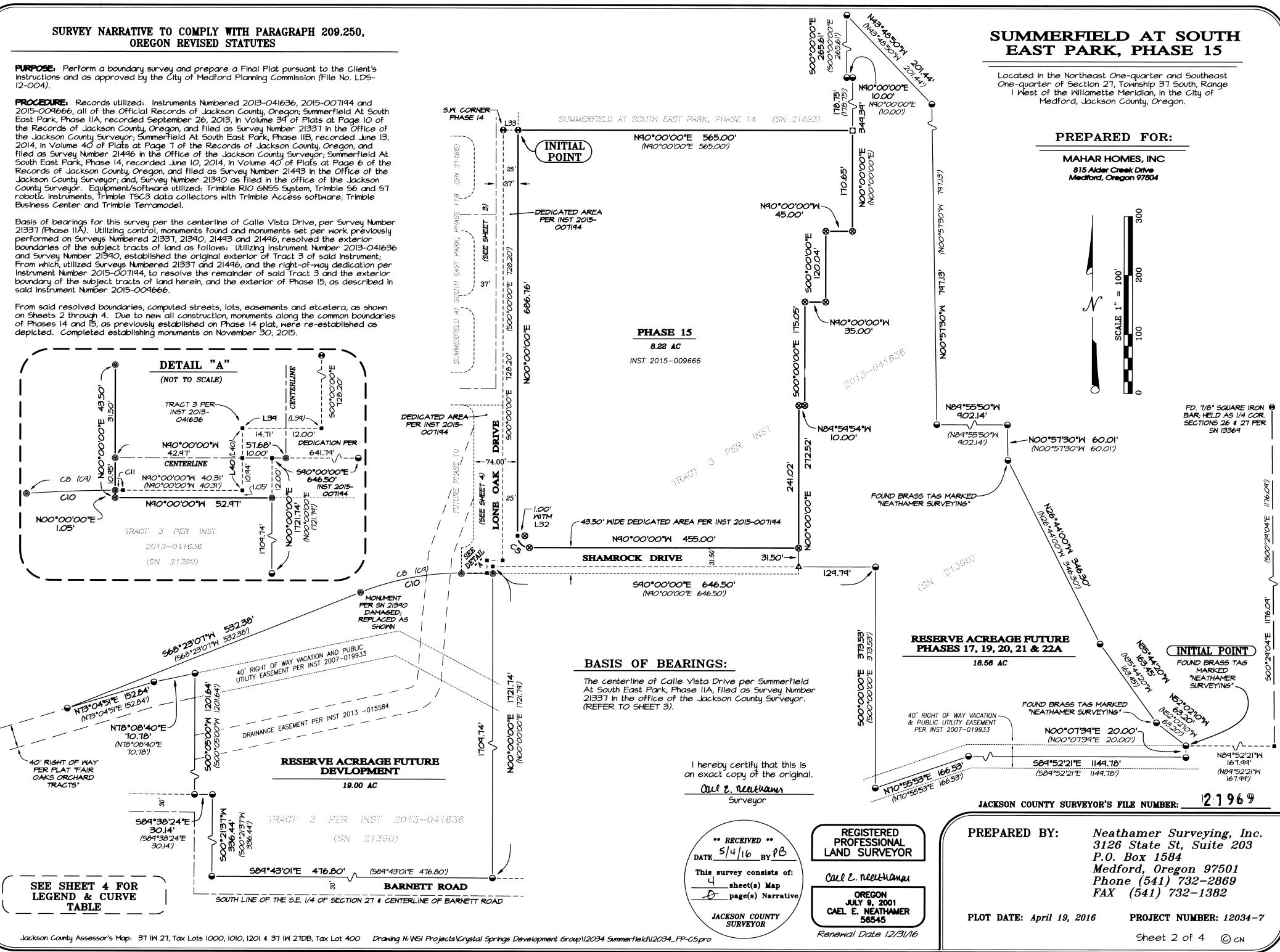
PLOT DATE: April 19, 2016

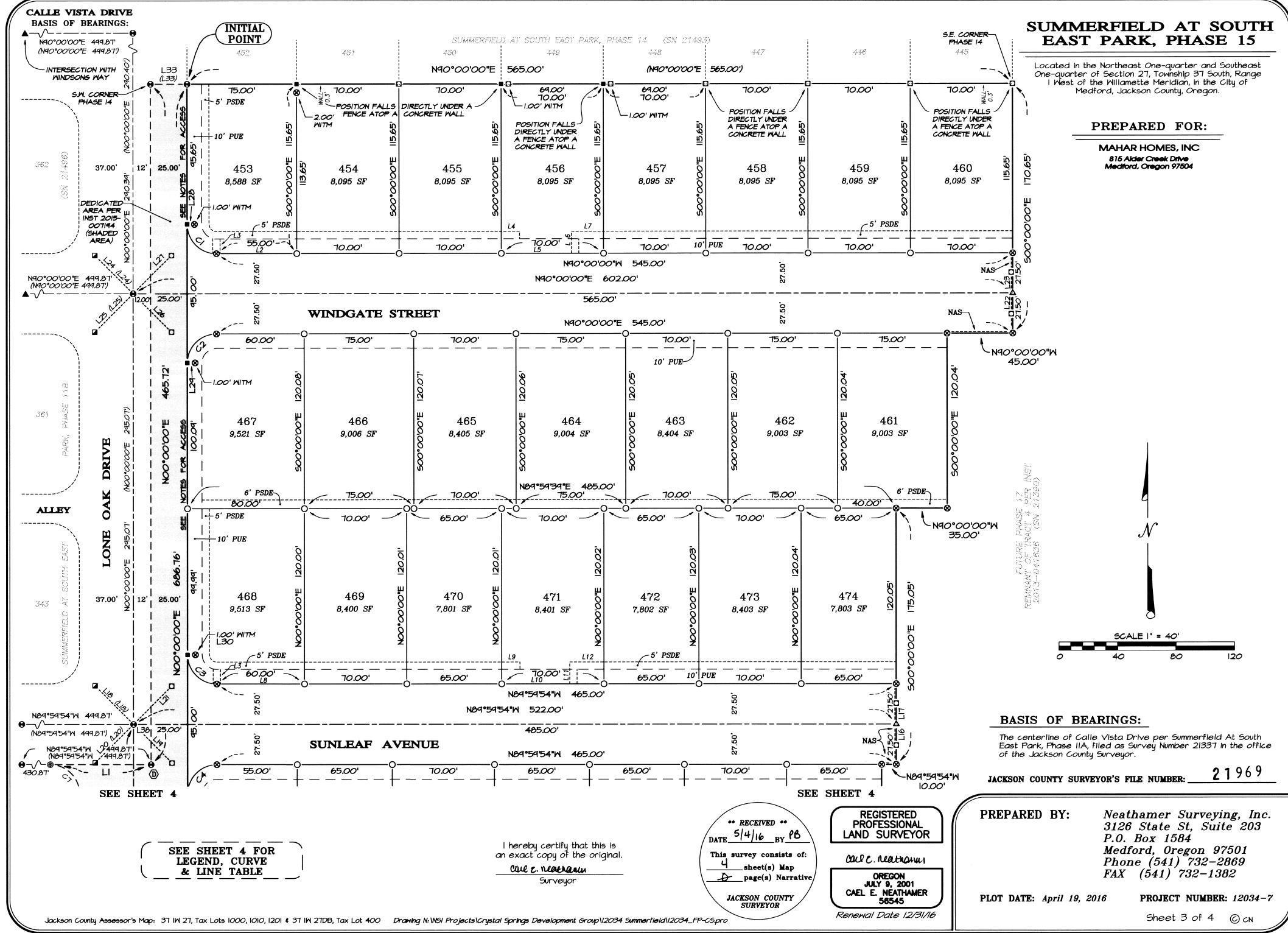
PROJECT NUMBER: 12034-7

Sheet 1 of 4 Och

5/4/16

Date





-N90°00'00"E

0.68'

MOO'00'00"W

57.68

L19

L20

Jackson County Assessor's Map: 37 IW 27, Tax Lots 1000, 1010, 1201 \$ 37 IW 27DB, Tax Lot 400 Drawing N: WSI Projects Crystal Springs Development Group (12034 Summerfield) 12034\_FP-CS.pro

544°59'56"E

545°00'04"W

37.25

37.07

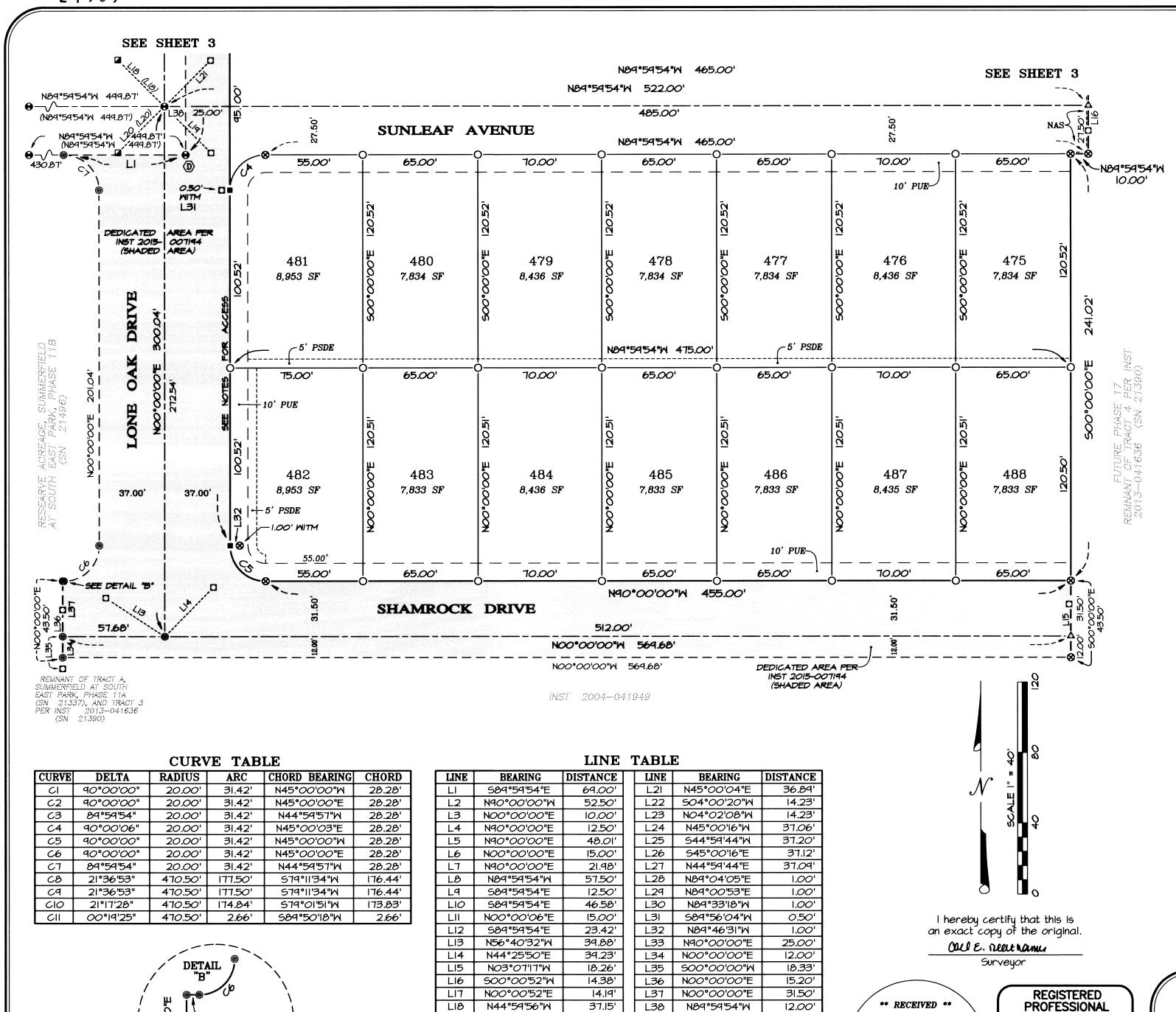
L39

N90°00'00"W

L40 | 500°00'00"E

26.71

21.00'



SUMMERFIELD AT SOUTH EAST PARK, PHASE 15

Located in the Northeast One-quarter and Southeast One-quarter of Section 27, Township 37 South, Range I 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:

- O Indicates a set 5/8-inch diameter by 24-inch long iron pin with an orange plastic cap marked "NEATHAMER SURVEYING".
- $\Delta$  Indicates a set 5/8-inch diameter by 30-inch long iron pin with an aluminum cap marked "NEATHAMER SURVEYING".
- Indicates a set 0.40 shell casing in concrete (typically within the curb line, except along the line common to Phases 14 and 15, which are atop a wall).
- Indicates a found 5/8-inch diameter iron pin with plastic cap marked "NEATHAMER SURVEYING" (or as otherwise noted), per SN 21337 (SASEP Phase IIA), or SN 21390 (SASEP, Phase IIB)
- ☐ Indicates a found 0.40 shell casing in concrete, per SN 21496.
- ▲ Indicates a found monument aluminum cap marked "HOFFBUHR & ASSOC INC", per SN 19538.
- Indicates a found monument per SN 21337 (SASEP, Phase IIA), SN 21390, 21397 (SASEP Phases 6 and 12B), 21493 (SASEP Phase I4) and/or SN 21496 (SASEP Phase IIB).
- Indicates a found monument per SASEP Phase 10 (SN21961).
- Indicates a previously tied monument that was destroyed during construction and not reset.
- Indicates a computed position, nothing found or set.
- ( ) Indicates record information of previously performed surveys per SN 21337 (SASEP Phase IIA), 21390, 21493 (SASEP Phase I4), and/or 21496 (SASEP Phase IIB).
- NAS Indicates a 1.00 foot wide Non Access Strip (refer to Declaration).
- PSDE Indicates a Private Storm Drain Easement, being created hereon.
- PUE Indicates a Public Utility Easement, being created hereon.
- ${\sf SASEP} \quad {\sf Indicates} \; {\sf Summerfield} \; \; {\sf At} \; {\sf South} \; {\sf East} \; {\sf Park}.$ 
  - SF Indicates the number of square feet within a closed area.
  - SN Indicates a survey filed by number in the office of the Jackson County Surveyor.
- WITM Indicates a set Witness Monument.
- WALL 1.2'- Indicates the distance and which side from the boundary line that the face of a 8" wide CMU wall is located.

## BASIS OF BEARINGS:

The centerline of Calle Vista Drive per Summerfield At South East Park, Phase IIA, filed as Survey Number 21337 in the office of the Jackson County Surveyor. (REFER TO SHEET 3).

JACKSON COUNTY SURVEYOR'S FILE NUMBER:

21969

PREPARED BY:

DATE 5/4/16 BY PB

This survey consists of:

JACKSON COUNTY

SURVEYOR

\_sheet(s) Map

page(s) Narrative

LAND SURVEYOR

Cail E. Reathanns

JULY 9, 2001 CAEL E. NEATHAMER

56545

Renewal Date 12/31/16

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: April 19, 2016

PROJECT NUMBER: 12034-7

Sheet 4 of 4 Och