

SURVEY REFERENCE NUMBER

R1=C.S. 23081
 R2=C.S. 11938
 R3= C.S. 1936

GPS 74 ACCEPTED AS MARKING THE MOST NORTHEASTERLY CORNER OF TRACT 5, RIVERDALE TRACTS, AS DESCRIBED IN DOCUMENT 2019-028890

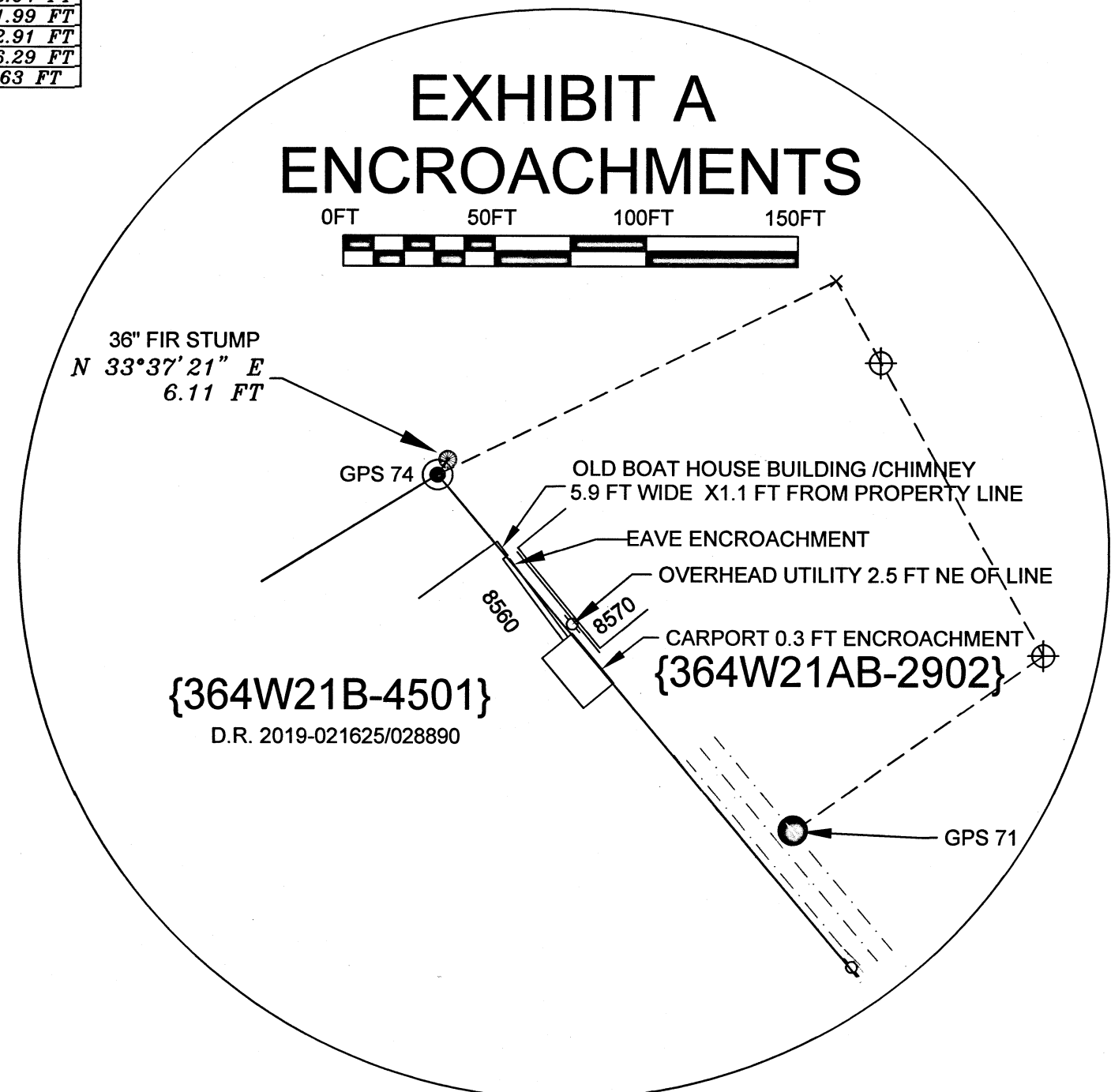
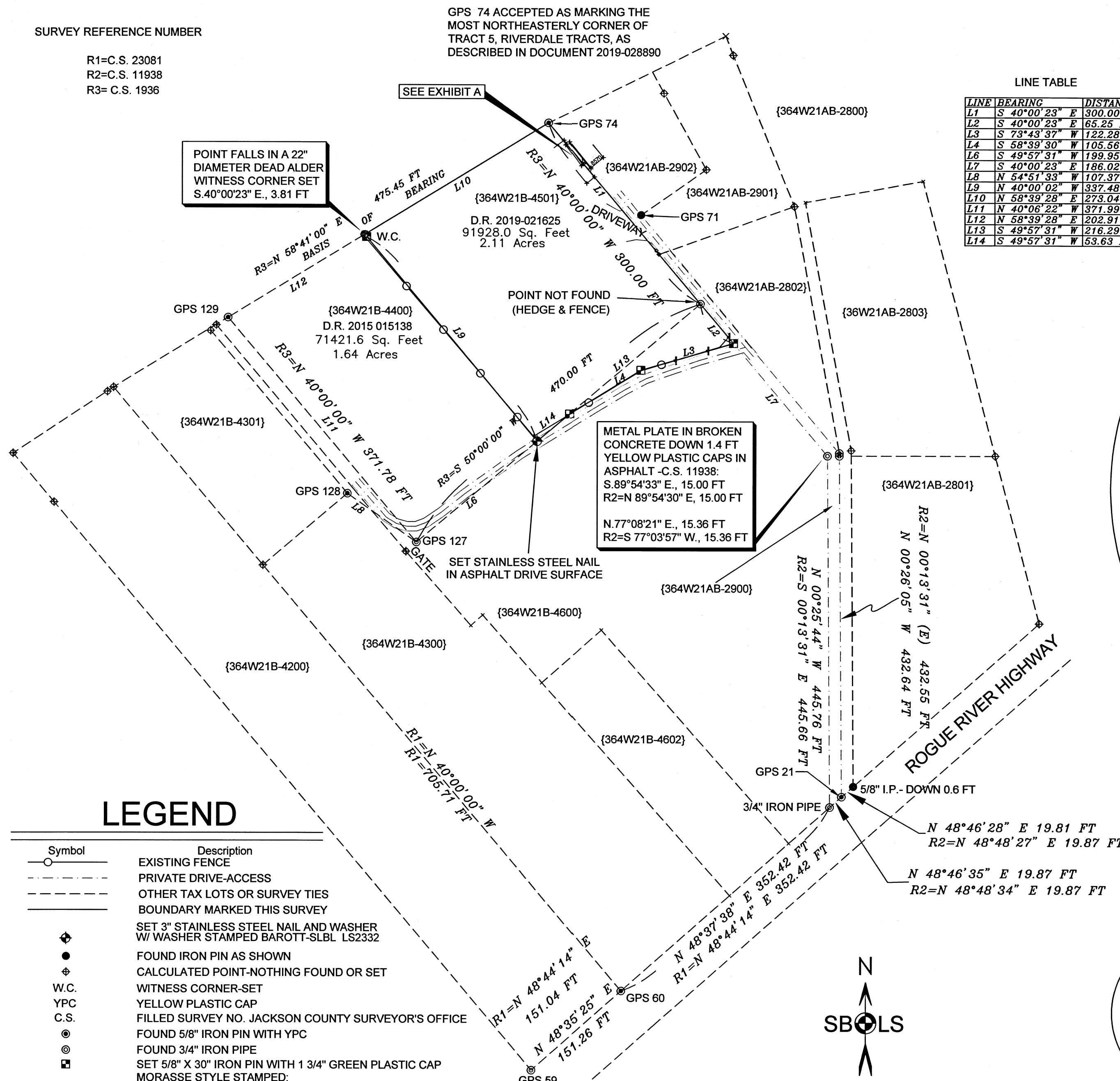
POINT FALLS IN A 22" DIAMETER DEAD ALDER WITNESS CORNER SET S.40°00'23" E., 3.81 FT

SEE EXHIBIT A

LINE TABLE

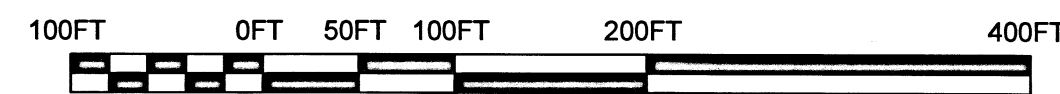
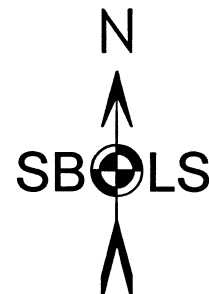
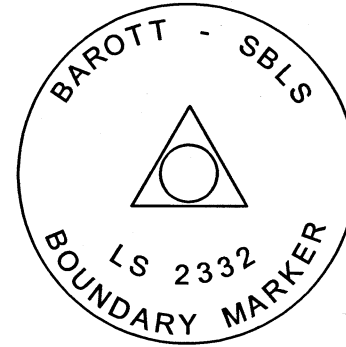
LINE	BEARING	DISTANCE
L1	S 40°00' 23" E	300.00 FT
L2	S 40°00' 23" E	65.25 FT
L3	S 73°43' 37" W	122.28 FT
L4	S 58°39' 30" W	105.56 FT
L6	S 49°57' 31" W	199.95 FT
L7	S 40°00' 23" E	186.02 FT
L8	N 54°57' 33" W	107.37 FT
L9	N 40°00' 02" W	337.48 FT
L10	N 58°39' 28" E	273.04 FT
L11	N 40°06' 22" W	371.99 FT
L12	N 58°39' 28" E	202.91 FT
L13	S 49°57' 31" W	216.29 FT
L14	S 49°57' 31" W	53.63 FT

MAP OF SURVEY LOCATED IN NW 1/4 OF SECTION 21, AND A PORTION OF DONATION LAND CLAIM NO 40, TOWNSHIP 36 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, JACKSON COUNTY, OREGON



LEGEND

- | Symbol | Description |
|--------|--|
| —○— | EXISTING FENCE |
| --- | PRIVATE DRIVE-ACCESS |
| --- | OTHER TAX LOTS OR SURVEY TIES |
| --- | BOUNDARY MARKED THIS SURVEY |
| ⊕ | SET 3" STAINLESS STEEL NAIL AND WASHER W/ WASHER STAMPED BAROTT-SLBL L52332 |
| ● | FOUND IRON PIN AS SHOWN |
| ⊕ | CALCULATED POINT-NOTHING FOUND OR SET |
| W.C. | WITNESS CORNER-SET |
| YPC | YELLOW PLASTIC CAP |
| C.S. | FILLED SURVEY NO. JACKSON COUNTY SURVEYOR'S OFFICE |
| ⊙ | FOUND 5/8" IRON PIN WITH YPC |
| ⊙ | FOUND 3/4" IRON PIPE |
| ⊕ | SET 5/8" X 30" IRON PIN WITH 1 3/4" GREEN PLASTIC CAP MORASSE STYLE STAMPED: |



BASIS OF BEARING: GRID, OREGON COORDINATE REFERENCE SYSTEM (OCRS) GRANT PASS-ASHLAND ZONE PER O.A.R. 734-005-0015

NARRATIVE IS A SEPARATE DOCUMENT

****RECEIVED****
 DATE 8/12/21 BY SS
 This survey consists of:
 1 sheet(s) Map
 8 page(s) Narrative
 JACKSON COUNTY SURVEYOR

MAP OF SURVEY

DRAWN	DATE	MONIKA NERI
SBLS	8-9-2021	SHARMAN BALL
APPROVED	DATE	8560 ROGUE RIVER HWY
		ROGUE RIVER/COUNTY
SCALE	SHEET	PROJECT NO.
1"=100'	1 OF 1	2021-16

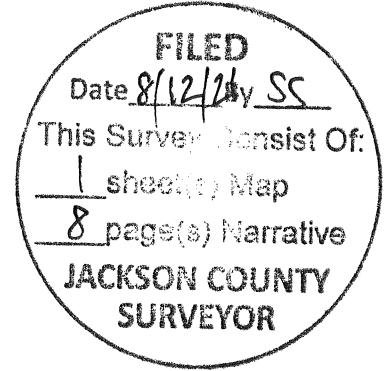
S B L S STEPHAN BAROTT LAND SURVEYING

REGISTERED PROFESSIONAL LAND SURVEYOR <i>Stephan Barott</i> OREGON JULY 28, 1988 STEPHAN L. BAROTT 2332 RENEWS: DECEMBER 31, 2021	1446 ST. ANDREW WAY MEDFORD, OR 97504 PHONE: 541-776-1272 CELL: 541-510-8278 e-mail: sbarott@charter.net
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**Survey Narrative to Comply with
Oregon Revised Statutes, Paragraph 209.250**

SURVEYED FOR: MONIKA L. NERI
SHARMAN W. BALL
8560 ROGUE RIVER HWY
GRANTS PASS, OR 97527

SURVEYED BY: STEPHAN BAROTT LAND SURVEYING
1446 ST. ANDREW WAY
MEDFORD, OREGON 97504



LOCATION: Township 36 South, Range 4 West , Northwest one-quarter of Section 21 and a portion of Donation Land Claim Land Claim (DLC) No. 40, Willamette Meridian, Jackson County, Oregon. (Jackson County Tax ID: 36-4W-21B-4501)

BASIS OF BEARING: Grid, Oregon Coordinate Reference System (OCRS) Grants Pass-Ashland Zone, per O.A.R. 734-005-0015.

PURPOSE: The purpose of this survey is to survey the exterior boundaries for 36-4W-21B-TL 4501 as described in Document No. 2019-028890 (dated 9-27-2019) recorded in the Deed Records of Jackson County, Oregon. An error was discovered for the description previously recorded as Document No. 2019-021625 (dated 7-26-2019), which was corrected by Document No. 2019-028890, dated 27 September, 2019.

The secondary purpose was to locate any encroachments along the boundaries. A portion of my client's structures do encroach by a small distance on to the neighboring property to the East (existing Tax Lot 36-4W-21AB-2902).

PROCEDURE: Prior to commencement of this survey, deed records and surveys of record were reviewed. Monuments found or established are shown on the Map of Survey. This parcel is located in the Robert S. Jewett Donation Land Claim No. 40 as established with Serial Patent No. 374 signed by Andrew Johnson, President of the United States on 5 June, 1866. The Riverdale Tracts survey was completed in 1911 and filed for record on 15 February, 1915. No attempt was made to show the McBride and Hodgson families acquired this portion of Donation Land Claim No 40, which consisted of 168.60 acres.

The description for Riverdale Tracts indicated the Tract boundaries as establish, followed the Left Bank of the Rogue River. Monuments were set with many of them recovered over the years. Most appear to be set along the Top of Bank of the Rogue River. There is a steep slope with vegetation, including trees, between the apparent top of bank and the actual water's edge. The top bank as survey (and labeled as the Left Bank of the Rogue River) does not appear to be at the Mean High Water Mark for the segment I surveyed along Tract 5 and 6. The State of Oregon does claim the bed of the River up to the mean high water mark, or thereabouts. It is not clear to me if we have a strip of land that belongs to the McBride/Hodgson heirs, the heirs of the Robert S. Jewett Donation Land Claim, or the State of Oregon. By Deed, the owner of the Tracts and subsequent parcels/lots own up to the Tract Survey boundary, and not to the River. The question is, was the Riverdale Tracts survey intended to go

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to the true Left Bank of the Rogue River, or to the boundary as surveyed that resembles a meander of the river? To compound the issue, the removal of the Savage Rapids Dam changed the configuration of the River. For example, my client has a structure that was once a boat house, with a boat launch and dock. A portion of the boat launch is now above the water by several feet. At one time it was adjacent to the water's edge and believed to be part of the property. It may have appeared the "surveyed Tract Line" was indeed the Left Edge of the Rogue River. Over time, the river changed in part due to human interference.

Monuments established by Darrell W. Edwards, PLS 741 were along the top of bank, and Tract Survey boundary. They fit the description and prior surveys of record. Some of them were noted in previous surveys. However, I did not find an actual filed survey to document why and when D.W. Edward established these monuments.

I found several discrepancies in the deed descriptions for the current tax lot 4501. Those issues have been resolved and the proper description was marked on the ground.

The Deed Records review and History of Surveys will document the boundary as surveyed.

Deed Records reviewed:

364W21B-4501

Deeds of record for this parcel are as follows:

- **Volume 559, page 81** dated 23 December, 1963.
- **66-000022** dated 20 December, 1966. This quitclaim deed contains errors. The intent was to add 0.12 acres to the South end of this parcel, near a current private drive. The first course began at the Northeast corner of Tract 5, Riverdale Tract, and thence went Northwest 40°00'00" West along the North line of Tract 5, 186.25 feet. The correct call should have been South 40°00'00" East, 186.25 feet along the East line of Tract 5. This error plotted this area to be in the center of the Rogue River.
- **85-016377** This document provides access easements from Rogue River Highway to my clients parcel. Document dated 25 September, 1985.
- **85-017899** This Document revises the description for 85-016377 to include the additional acreage described in 66-000022 with a corrected description. Document dated 23 September, 1985. Note the filing dates are not consistent.
- **93-003887** -This document description appears to be corrected and complete. Document filed 4 February, 1993.
- **2012-042808** – This document contained errors and excluded a strip of land 53.71 feet by 341.30 feet along the Westerly side of my clients parcel. The course South 50°00'00" West, 53.71 feet was omitted from the south boundary by mistake. Document dated 30 November, 2012.
- **2019-021625 and 2019-028890**- The initial Statutory Warranty Deed from the Jane Lucas Irrevocable Trust to Monika L. Neri and Sharman W. Ball was Document No. 2019-021625 dated 26 July 2019. It was discovered after the initial document that the description was the same erroneous description as shown in Document 2012-042808, and did not include the 53.71

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by 341.30 foot strip of land. A correction was recorded as Document No. 2019-028890 dated 27 September, 2019.

364W21B-4400- Document 2015-015138, J.C.D.R. The Easterly line of the deed description is common with the Westerly line of my client's parcel.

364W21B-4600- Document 2012-005615, J.C.D.R. I noted an error with one exception that referred to Document No. 66-000022, which contains an error.

364W21AB-2900 and 2901- Document 2014-011182, J.C.D.R. The Westerly line of the Tax Lot 2901 parcel is common with a portion of the Easterly line of my client's parcel. My client has driveway access over these parcels.

364W21AB-2902- Document 2018-024430, J.C.D.R. The Westerly line of this parcel is common with a portion of the Easterly line of my client's parcel. An encroachment of portions of structures on my client's parcel encroaches onto Tax Lot 2902.

364W21AB-2800- Document 2018-005084, J.C.D.R.

364W21AB-2801- Document 86-001047, J.C.D.R.

HISTORY OF SURVEYS: The history of surveys of T.36 S., R.4 W. pertaining to this survey is as follows:

GLO OR GOVERNMENT SURVEYS:

1854- Ives and Hyde, U.S. Deputy Surveyors, surveyed the Township east boundary and a portion of the sub-divisional lines. Refer Contract No 47 dated August 18, 1854.

1859- Sewell Truax, U.S. Deputy Surveyor, surveyed the Robert S. Jewett Donation Land Claim (DLC) No. 40 dated November 22, 1859.

STATE AUTHORITY SURVEYS:

1911- RIVERDALE TRACTS, C.F.Rhodes surveyed Tracts for McBride and Hodgson in April, 1911. The survey was filed on January 18, 1915 in Volume 3 at Page 51 of Plats, Jackson County, Oregon. This current survey is in Tract 5 and its common border with Tract 6.

1962- Fredrick E Warner, LS 298, surveyed a portion of Tracts 5 and 6 and created the parent parcel for the current Tax Lots 4501 and 4400. Refer to C.S. 1936 dated June 5, 1962

1964- Fredrick E Warner, LS 298, surveyed a portion of Tract 6, and the common boundary with Tract 5. Refer to C.S. 2458 dated February 3, 1964.

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1972- Mark E. Boyden, LS 281 surveyed a portion of Tract 6. During this survey, Boyden established the iron pin identified as GPS #71 in this current survey. Refer to C.S. 4973 dated October 26, 1972.

1974- Charles H. Hurst, LS483 subdivided Section 21. During this survey, Hurst established the Center one-quarter corner for Section 21. Refer to C.S. 5607 dated March 18, 1974.

1975- Loyd Moffit, LS 944 surveyed a portion of Tract 5. Moffit found and noted the ¾-inch diameter iron pipe established by Warner, and identified as GPS #127 in this current survey. Refer to C.S. 6099 dated August, 1975.

1977- Larry Friar, LS 961 surveyed a portion of Tract 5. Refer to C.S. 6760 dated April, 1977.

1980- Mark E. Boyden, LS 281 re-monumented the Southwest corner for Tract 6 with a ¾-inch iron pipe set in concrete. At the corner point, I found the remnants of concrete and a metal plate in concrete, down 1 foot and near a fence corner. The iron pipe was not found. Ties to two yellow plastic caps within 15.36 feet, and other corner ties verified the position of this corner point. I did not set a new monument in the existing concrete remnants. Refer to C.S. 8246 dated February 27, 1980.

1988- Edward A. McGinty LS 301 surveyed a portion of the Northeast quarter of Section 21. During this survey, McGinty noted he found the ¾-inch iron pipe set by Boyden in C.S. 8246 and discussed it in detail in C.S. 11200 dated June 1, 1988.

1989- Larry Friar, LS 961 surveyed a portion of Tract 6. A portion of this survey established a common boundary with my client's Easterly line. Refer to C.S. 11765 dated October 10, 1989.

1990- Larry Friar, LS 961 surveyed a portion of Tract 6. A portion of this survey established a common boundary with my client's Easterly line and was a continuation of C.S. 11765. During this survey, Friar documented a portion of the private access road from Rogue River Highway to the SW Corner of Tract 6 described in the two previous surveys listed in this narrative. Refer to C.S. 11938 dated February 12, 1990.

2020- Gerald V. Nygren, LS 1035 surveyed a portion of Tract 5. Nygren found or set three monuments along the northerly right-of-way line for Rogue River Highway. All three were found during this current survey. Refer to C.S. 23081 dated March 10, 2020.

No other surveys of record that pertain to this current project were found.

MONUMENTS ACCEPTED FOR CONTROL

Monuments accepted for control as noted on the Map of Survey or as described in the geodetic control paragraph of this narrative.

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MONUMENTS ESTABLISHED THIS SURVEY

Monuments established this survey are 5/8-inch diameter by 30-inch long iron pins with 1 3/4-inch diameter Green Plastic Morasse-style plastic caps (GPC) unless noted on the Map of Survey.

GEODETTIC POSITIONS FOR CERTAIN CORNER POINTS AS NOTED ON THE MAP OF SURVEY ARE AS FOLLOWS:

Utilizing the Oregon Department of Transportation's Oregon Geodetic Reference Network (ORGN), a network adjusted solution was computed for all stations (Real Time Kinematic, or RTK). Coordinates are NAD83(2011) Epoch 2010.00. Elevations are NAVD88 utilizing Geoid 12A Ellipsoid model. All surveyed points for this project were converted to the Oregon Coordinate Reference System (OCRS), Grant Pass-Ashland Zone as defined in Oregon Administrative Rules (O.A.R.) 734-05-0015, in International Feet.

GPS #21 - FOUND A YELLOW PLASTIC CAP IN THE ASPHALT SURFACE OF A PRIVATE DRIVE, AT THE INTERSECTION WITH ROGUE RIVER HIGHWAY, NO MARKS VISIBLE:

LATITUDE 42°25'45.68245" NORTH
LONGITUDE 123°10'46.77801" WEST
ELEVATION 997.87 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 247618.7893
EAST 205533.7654

Reference: C.S. 11938

GPS #59- FOUND 1 1/2-INCH DIAMETER IRON PIPE NEAR A FENCE CORNER , WITH SPIKE IN THE CENTER OF SAID PIPE, NO MARKS VISIBLE:

LATITUDE 42°25'42.27650 NORTH
LONGITUDE 123°10'52.03091" WEST
ELEVATION 1008.23 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 247272.7121
EAST 205140.9098

Reference: C.S. 1936, 2362, 7975, and 23081

GPS #60 - FOUND A YELLOW PLASTIC CAP IN THE ASPHALT SURFACE OF A PRIVATE DRIVE, AT THE INTERSECTION WITH ROGUE RIVER HIGHWAY, MARKED:

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NYGREN

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LS 1035

LATITUDE 42°25'26.114" NORTH
LONGITUDE 123°10'50.51407" WEST
ELEVATION 1004.11 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 247372.7597
EAST 205254.3533

Reference C.S. 23081

GPS #71 - FOUND 3/4 INCH DIAMETER IRON PIN DOWN 0.9 FEET, NO MARKS VISIBLE.

LATITUDE 42°25'52.97541" NORTH
LONGITUDE 123°10'50.14590" WEST
ELEVATION 991.36 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 248356.6330
EAST 205279.2360

Reference: C.S. 4973, 11765

GPS #74 - FOUND 5/8-INCH DIAMETER IRON PIN WITH A YELLOW PLASTIC CAP,
MARKED:

D.W. EDWARDS

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P LS 741

LATITUDE 42°25'54.13383" NORTH
LONGITUDE 123°10'51.71851" WEST
ELEVATION 982.39 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 248473.6980
EAST 205161.0860

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Note: This monument is accepted as marking the Northeasterly corner of Tract 5, RIVERDALE TRACTS, per Document 2019-028890.

Reference: C.S. 11765 (No Official Filed Survey Record of the Edwards Survey could be found)

GPS #127 – FOUND A 3/4-INCH IRON PIPE TAGGED RS 298, INSIDE OF A 2-INCH DIAMETER IRON PIPE , DOWN 0.6 FEET AND NEAR AN ANGLE IRON FENCE POST:

LATITUDE 42°25'48.88107" NORTH
LONGITUDE 123°10'53.95612" WEST
ELEVATION 989.02 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 247941.6180
EAST 204994.2230

Reference: C.S. 1936, 6099, 6760

GPS #128 – FOUND A YELLOW PLASTIC CAP, 2 FEET SOUTH OF A WIRE FENCE, MARKED:

FRIAR

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PLS 961

LATITUDE 42°25'49.49306" NORTH
LONGITUDE 123°10'55.12533" WEST
ELEVATION 986.98 FEET

OCRS COORDINATES, INTERNATIONAL FEET:

NORTH 248003.4180
EAST 204906.4240

Reference: C.S. 6760

GPS #129 – FOUND A 5/8-INCH DIAMETER IRON PIN PROJECTING 0.8 FT ABOVE GROUND , WITH A YELLOW PLASTIC CAP MARKED:

D.W. EDWARDS

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PLS 741

**Survey Narrative to Comply with
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LATITUDE 42°25'51.69563" NORTH
LONGITUDE 123°10'57.14458" WEST
ELEVATION 982.12 FEET

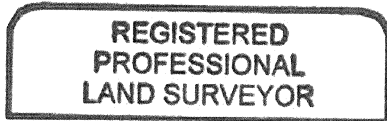
OCRS COORDINATES, INTERNATIONAL FEET:
NORTH 248226.1330
EAST 204754.5880

Note: This monument is accepted as being on the North Line of Tract 5, RIVERDALE TRACTS, and agrees with the position of a ¾-inch iron pipe established by Fredrick E. Warner, LS298 during survey C.S. 1936, which was not found. This monument also agrees with the Northwest corner of Document 2015-015138. (No Official Filed Survey Record of the Edwards Survey could be found).

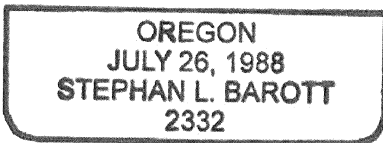
Reference: C.S. 1936.

EQUIPMENT:

Equipment utilized throughout this survey includes a Leica TCRP-1203 Electronic Total Station and Leica GS14 GNSS RTK GPS Receiver adjusted utilizing Oregon Department of Transportation (ODOT ORGN) GPS network, NAD83(2011) EPOCH 2010.00. Elevations are NAVD88 using Geoid 12A. Additional Geodetic Positions are on file with this office.



Stephan Barott



RENEWS: DECEMBER 31, 2021

DATE OF SURVEY: AUGUST 9, 2021