

ISABELLE SUBDIVISION

SITUATE IN THE N.W. 1/4 & S.W. 1/4 OF SECTION 25, T.38 S., R.1W., W.M., JACKSON COUNTY, ORE. AND IN THE CITY OF TALENT, JACKSON CO, ORE.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That we, David L. Jackson and Lani A. Jackson (husband and wife) are the owners in fee simple of the lands hereon described and that we have subdivided the same into lots, blocks and streets as shown hereon, and the number and the size of the lots and the lengths of all the lines are plainly set forth and that this plat is a correct representation of the said subdivision and we do hereby dedicate to the public for public use all streets hereon with all easements* and we do hereby designate said subdivision as: ISABELLE SUBDIVISION.

IN WITNESS WHEREOF We have set our hand and seal this 5th day of September 1972

STATE OF OREGON } ss
COUNTY OF JACKSON }

September 5 A.D. 1972

Personally appeared the above named David L. Jackson and Lani A. Jackson and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Anabelle Harmon
NOTARY PUBLIC FOR OREGON

My commission expires the 14th day of September 1972.

I certify that pursuant to authority granted to us by the City of Talent Planning Commission in open meeting on SEPTEMBER 7 1972 the above plat is hereby approved by the City of Talent Planning Commission. Dated this 7th day of SEPTEMBER 1972.

Attest: Gwen Hood
SECRETARY

Rob Miller
PRESIDENT

Examined and approved by the Talent Irrigation District in regular session this 5th day of Sept. 1972.

Attest: W. H. Kopp
SECRETARY

Ray E. Stewart
PRESIDENT

Examined and approved this 12th day of SEPTEMBER 1972.

Ray E. Stewart by David H. Hill
COUNTY ASSESSOR DEPUTY

All taxes paid in full to date this 12th day of Sept. 1972.

Ormond L. Hill
COUNTY SHERIFF

Examined and recommended for approval by the County Court this 26th day of SEPT. 1972.

Mark E. Boyden
COUNTY SURVEYOR

For order of the County Court approving this plat see Volume _____, Page _____ of the County Commissioners Journal of Proceedings.

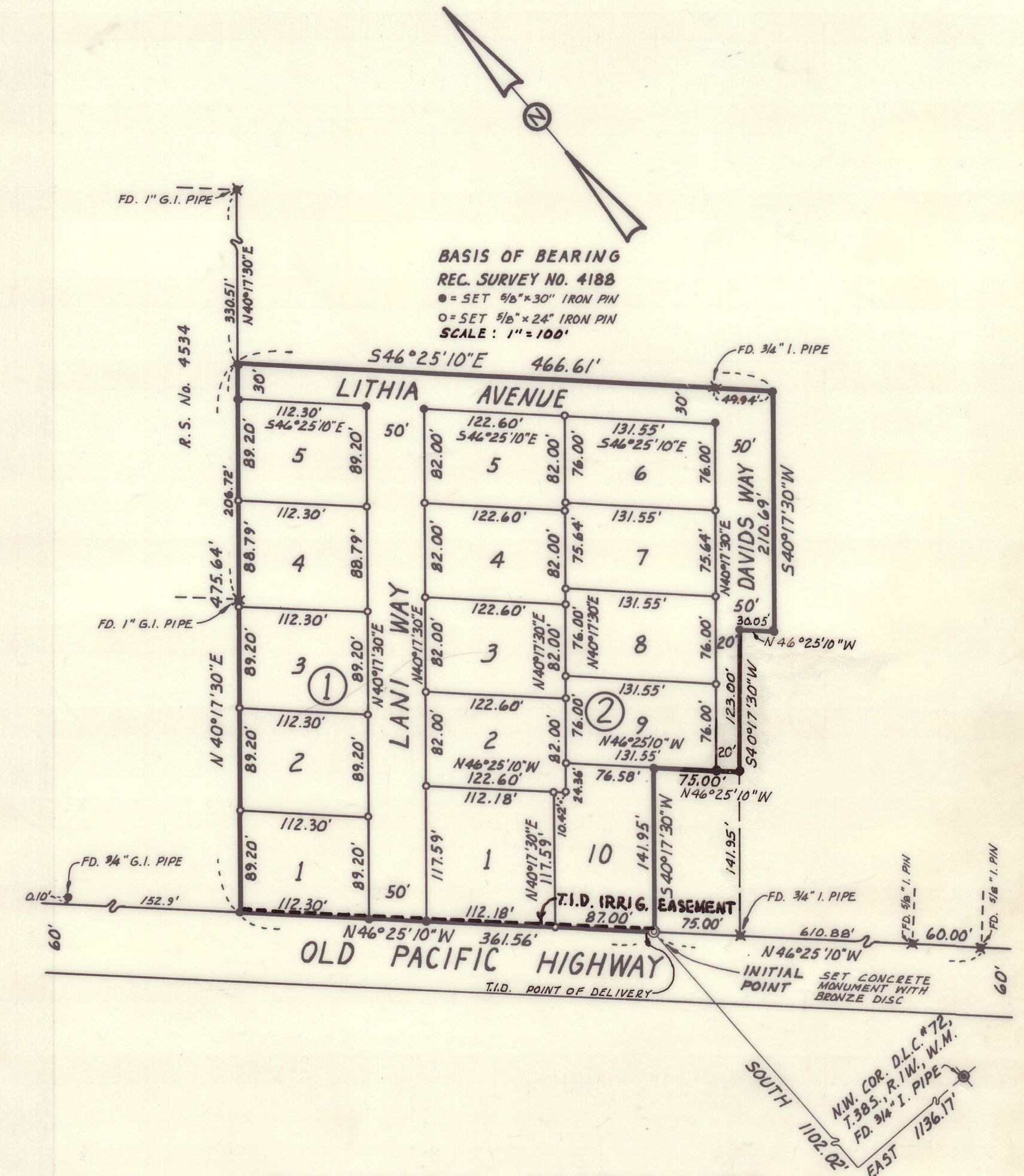
Filed for record this the 4th day of October 1972, at 12:52 o'clock P.M. and recorded in Volume 11 of plats at page 55 of records of Jackson County, Oregon.

* FURTHER DEDICATION:

"This plat and the dedication hereof is subject to the condition that Talent Irrigation District's obligation to deliver water is limited to delivery at the point indicated on the plat and is further subject to the statutory powers, rules, and regulations of Talent Irrigation District."

I hereby certify that this tracing is an exact copy of the original plat filed with the County Clerk.

Elmer R. Savikko
ENGINEER



ENGINEER'S CERTIFICATE

I, Elmer R. Savikko, a duly registered Engineer of the State of Oregon, being first duly sworn, do hereby certify that I have correctly surveyed and marked with proper monuments as provided by law, the tract of land hereon shown and the said plat is a correct representation of the same and the following is an accurate description of the boundary lines:

Commencing at a concrete monument with a bronze disc set 6" below the surface of the ground for the Initial Point of Beginning on the Northeastly right of way line of the Old Pacific Highway, from which the Northwest Corner of Donation Land Claim No. 72, Township 38 South, Range 1 West, Willamette Meridian, Jackson County, Oregon, bears South 1102.02 feet and East 1136.17 feet; thence along the aforementioned Northeastly right of way line, North 46° 25' 10" West 361.56 feet to a 5/8 inch iron pin; thence North 40° 17' 30" East 475.64 feet to a 5/8 inch iron pin; thence South 46° 25' 10" East 466.61 feet to a 5/8 inch iron pin; thence South 40° 17' 30" West 210.69 feet to a 5/8 inch iron pin; thence North 46° 25' 10" West 30.05 feet to a 5/8 inch iron pin; thence South 40° 17' 30" West 123.00 feet to a 5/8 inch iron pin; thence North 46° 25' 10" West 75.00 feet to a 5/8 inch iron pin; thence South 40° 17' 30" West 141.95 feet to the Initial Point of Beginning.

Subscribed and sworn to before me this 5th day of September 1972

My commission expires the 14th day of September 1972.

Elmer R. Savikko
ENGINEER

Anabelle Harmon
NOTARY PUBLIC FOR OREGON



SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250
REVISED BY CHAPTER 555, O.L. 1963

FOR: Mr. David L. Jackson
163 West Nevada Street
Ashland, Oregon 97520

PURPOSE: To monument and prepare a correct legal description for the property boundary lines described in the "Contract to sell Real Property", dated May 11, 1971, from Charles E. Maupin and Elma E. Maupin, husband and wife, hereafter designated as Seller, and David L. Jackson and Lani A. Jackson, husband and wife, hereafter designated as Purchaser.

The intent is to monument and file for public record, ISABELLE SUBDIVISION.

PROCEDURE:

The right of way lines of Old Pacific Highway were established from monumentation found by Record Survey No. 4188 and other monument control as shown on the ISABELLE SUBDIVISION PLAT.

Discrepancies in the descriptions of the Jackson's subject property and all the adjoining properties were so grossly in error due to typographical mistakes existing for the past forty years or longer, and the Deed description calls to record monuments which were paramount over bearing and distance, and yet said record monument calls were rebuttable presumptions subordinate to the fact that the contrary may be shown: that the physical monuments such as iron pipes found and the artificial monuments such as fences did in fact agree very closely with the area as occupied and called for in the deed description for the Jackson property.

Verification by measurements and calculations accurately indicate that the adjoining properties do not encroach on the Jackson's subject property or that said property does not encroach on the adjoining properties, by reason that the Deed calls are in fact rebuttable presumptions that cannot be physically located by the Deed descriptions.

Excepting senior rights of others, the intentions of the parties to a deed, as expressed by the writings, are the paramount considerations in determining the order of importance of conflicting elements.

Therefore the iron pipes found and the fence lines were held as the Jackson's property lines as occupied by the Maupins for a period of twenty years, more or less.

Additional land was acquired from Richard and Wanda J. Henry, husband and wife, on the Easterly side of the ISABELLE SUBDIVISION to allow for the street DAVID'S WAY. There are no property line conflicts in this area.

