

location, using the Donation Land Claim survey notes and the calls for the section corners along the Township line per said notes. The proximity of these two (2) locations were very good. Further evaluation of the distance between the Southeast corner of Donation Land Claim No. 41, Township 39 South, Range 1 East and the Northeast corner of Donation Land Claim No. 53, Township 38 South, Range 1 East, as positioned from said found iron pin, looks real good in relation to the expected excess distance per hundred feet normally found to exist over reported government survey distances. With the Northeast corner of Donation Land Claim No. 53, said Township and Range, being established, the centerline of Mountain Avenue, Southerly of Nevada Street, was established in relation to this retraced Donation Land Claim line. The departure of this line varies somewhat with the departure of the found 5/8 inch iron pin, reportedly at the intersection of Mountain Avenue and Nevada Street.

Now, the outer boundary of Lots 25 and 26, "Ashland Acres", was retraced using plat data down to the South boundary of Lot 26. Plat bearing was held along the Southerly boundary of Lot 26 and the distance computed to close upon the previously established Donation Land Claim line. This computed distance was very favorable in relation to the record plat distance.

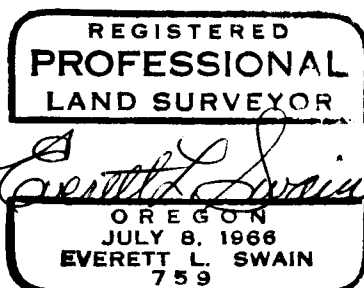
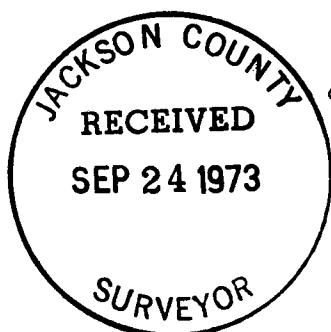
Now an evaluation of the outer boundary of said subdivision was compared to the deeds of record prior to the subdivisions existence to see if overlaps or gaps do exist. The outer boundary of Lots 25 and 26 has the senior rights in retracing the chain of title. However, when the Southerly boundary of Lot 26 was established, they lacked several feet of closing upon their deeded Southerly boundary. The Southerly boundary of Lot 26 was held per the "Ashland Acres" Subdivision data.

The location of Nevada Street was the next item investigated. Apparently Nevada Street was first created in the P.H.&N. Addition to the City of Ashland, Oregon, dated September 11, 1890. According to City Ordinance No. 204, Nevada Street, situated within the city limits, was ordered vacated. This was adopted by the council on the 6th of June, 1900. On the 17th of April, 1923 the council approved Ordinance No. 755 vacating 752 feet of Nevada Street lying West of the West right of way of Mountain Avenue. On the 21st of April, 1923 per the "Ashland Acres" plat, as now recorded, the realignment of Nevada Street, west Mountain Avenue was approved by the Common Council of the City of Ashland.

The location of Nevada Street, per the "Ashland Acres" plat and the location of said street was surveyed by McCall on or around February 23, 1900 does not fit for alignment very well. In retracing McCall's survey of Nevada Street, I find a very satisfactory mathematical relationship between the monument located at Oak and Nevada Streets with the retracement of Mountain Avenue. The P.H.&N. Subdivision was tied to the Southeast corner of Donation Land Claim No. 41, thereby giving a very good check on the location of Nevada Street as it originally existed. It is very unfortunate that the alignment per the "Ashland Acres" plat and the existing monument at Oak and Nevada Streets does not align very well. However, there is still a question, which as of now the City of Ashland does not apparently have an answer for, as to the reconveying of that portion of Nevada Street between Oak Street and the West boundary of the "Ashland Acres" Subdivision. No documents can be found showing where this portion of Nevada Street was conveyed back to the City of Ashland after its first vacation. Therefore, it is possible only a prescriptive right of use on this portion of Nevada Street now exists. With this data analyzed, it was concluded that the alignment per "Ashland Acres" Subdivision was the last officially recorded location for Nevada Street. (Within the jurisdiction of said subdivision.)

With this information, proceeded to survey the parcel as shown on the accompanying map.

August 13, 1973



Everett L. Swain
Professional Land Surveyor
Ashland, Oregon

SURVEY NARRATIVE TO COMPLY WITH PARAGRAPH 209.250
OREGON REVISED STATUTES

SURVEY FOR: Ollie Redbird
400 Nevada Street
Ashland, Oregon 97520

LOCATION: Situated in Donation Land Claim No. 41 in Section 4, Township 39 South, Range 1 East of the Willamette Base and Meridian, Jackson County, Oregon.

PURPOSE: To survey & monument that portion of Instrument No. 66-06505 of the Deed Records of Jackson County, Oregon lying Southerly of Nevada Street.

PROCEDURE: Commenced this survey by searching for the original lot corners of Lot 26 of "Ashland Acres" Subdivision, as now recorded. These corners were never found. With Lot 26 being on the outer boundary of said subdivision, a retracement of Mountain Avenue, from the Southeast corner of Donation Land Claim No. 41, Township 39 South, Range 1 East, Northerly to the Northeast corner of Donation Land Claim No. 53, Township 38 South, Range 1 East was undertaken. Lots 25 and 26 are directly affected by this retracement.

In reviewing recorded survey No. 3589, which indicates a retracement of the centerline of Mountain Avenue, I do not find any indication on the map that the 5/8 inch iron rod set for the intersection of Mountain Avenue and Nevada Street is in fact the Northwest corner of Donation Land Claim No. 43, Township 39 South, Range 1 East. The original conveyence of Mountain Avenue, per Volume 20, page 155 of the Deed Records of Jackson County, Oregon calls for the centerline to be common to the boundary line between Donation Land Claims No. 41 and 43, said Township and Range. Without proof positive of said Northwest corner of Donation Land Claim No. 43 and no original lot corner post being found, per "Ashland Acres" Subdivision, to shed further light on this corner, the search for the Northeast corner of Donation Land Claim No. 53, Township 38 South, Range 1 East was begun.

In reviewing the "P" line survey notes of the Jackson County Engineering Department titled "Oak Street Bridge E'ly to Mt. Ave" and dated May 1953, it was found that a 4 x 4 square post scribed 23 on the North side had been tied to the traverse. A search for the post and/or control of the "P" line revealed nothing. Further search in the survey files of said engineering department, revealed that on or about June 18, 1953 an "L" line location survey was made and titled "Eagle Mill Road" Oak Street - to Mt. Ave. In these notes they indicate setting an I. pin 5.0 feet North of the S.W. cor. of Lot 24, Ashland Acres. It should be noted that an apparent mistake was made when the designation (SW) was used for Lot 24. It should have been (NW). The same survey crew performed both the "P" and "L" line surveys, therefore it is my opinion that a transposition was made due to the fact that an iron pin was found in the vicinity of where the Northwest corner of Lot 24, Ashland Acres, should be. This found pin was tied to my survey control and evaluated. The results in relation to the reported "Bearing and Distance," on the two (2) above mentioned road surveys were very good. Therefore, with the boundary line between Lots 23 and 24, Ashland Acres, being on the North line of Donation Land Claim No. 54, Township 38 South, Range 1 East and the found iron pin being set 5.0 feet North of said Northwest corner of Lot 24, I positioned the Northeast corner of Donation Land Claim No. 53, South 5.0 feet and West 30.0 feet from said found iron pin to correspond with the location as shown on the "Ashland Acres" plat, as now recorded. Further evaluation of this corner was undertaken by comparing this corner location to a proportional