

# LAND PARTITION

THOMAS' SUBDIVISION OF FRUITVALE, ROSEBURG, DOUGLAS COUNTY, OREGON  
SE 1/4 OF SECTION 12 AND NE 1/4 OF SECTION 13, T 27S, R6W, W.M.

APRIL, 2019

Douglas County Official Records  
Patricia K. Hitt, County Clerk 2019-013513



NO FEE


PLAT-PAR Cnt=1 Stn=33 HAJOHNST 08/28/2019 03:18:28 PM  
This is a no fee document

2019-0022 A

### SURVEYOR'S CERTIFICATE:

I, MICHAEL A. HOFFMANN, DO CERTIFY THAT I HAVE CORRECT SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND SHOWN HEREON, WHICH LAND IS WITHIN THE FOLLOWING METES AND BOUNDS DESCRIPTION:

BEGINNING AT A POINT ON THE EASTERLY LINE OF LOT 4, BLOCK 3, THOMAS SUBDIVISION OF LOT 13 AND WEST HALF LOT 12, FRUITVALE, SAID POINT LYING NORTH 00°56'57" WEST 17.61 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 00°56'57" EAST ALONG THE EASTERLY LINE OF SAID LOT 4, 17.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4 AND THE NORTHERLY LINE OF N.E. OAKLAND AVENUE; THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF N.E. OAKLAND AVENUE THE FOLLOWING FIVE COURSES: 1) NORTH 89°21'28" WEST, 100.04 FEET; 2) NORTH 89°21'28" WEST, 49.42 FEET; 3) NORTH 89°26'55" WEST, 50.16 FEET; 4) NORTH 89°23'59" WEST, 226.78 FEET; 5) NORTH 74°03'02", 47.27 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NE STEPHENS STREET; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX COURSES: 1) NORTH 23°32'58" WEST, 257.17 TO THE BEGINNING OF AN OFFSET SPIRAL CURVE 40' EASTERLY OF THE CENTERLINE OF NE STEPHENS STREET; 2) THENCE NORTHERLY ALONG SAID OFFSET SPIRAL CURVE, THE CHORD OF WHICH BEARS NORTH 23°04'41" WEST, 83.29 FEET; 3) THENCE NORTH 89°05'22" EAST, 3.22 FEET TO A POINT ON AN OFFSET SPIRAL CURVE 43' EASTERLY OF THE CENTERLINE OF NE STEPHENS STREET; 4) THENCE NORTHERLY ALONG SAID OFFSET SPIRAL CURVE, THE LONG CHORD OF WHICH BEARS NORTH NORTH 19°19'57" WEST, 111.98 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE RIGHT WITH A RADIUS OF 673.20 FEET; 5) THENCE ALONG SAID CURVE A DISTANCE OF 87.93 FEET THROUGH A CENTRAL ANGLE OF 7°29'02" (THE LONG CHORD OF WHICH BEARS NORTH 11°47'58" WEST) TO THE BEGINNING OF AN OFFSET SPIRAL CURVE 43' EASTERLY OF THE CENTERLINE OF NE STEPHENS STREET; 6) THENCE NORTHERLY ALONG SAID OFFSET SPIRAL CURVE, THE LONG CHORD OF WHICH BEARS NORTH 06°29'17" WEST, 39.59 FEET; THENCE SOUTH 89°10'50" EAST ALONG THE SOUTHERLY LINE OF THAT PROPERTY DESCRIBED IN VOLUME 233 OF DEED RECORDS, DOUGLAS COUNTY, OR, RECORDERS NO. 18016, 91.34 FEET; THENCE ALONG THE SOUTHERLY LINE OF THAT PROPERTY DESCRIBED IN VOLUME 98, PAGE 414 OF DEED RECORDS IN DOUGLAS COUNTY, OR, AND ITS EASTERLY PROLONGATION, THE FOLLOWING TWO COURSES: 1) SOUTH 00°48'57" WEST, 2.50 FEET; 2) THENCE SOUTH 89°10'50" EAST 118.01 FEET TO THE CENTERLINE OF VACATED WILLIAM STREET; THENCE NORTH 00°02'56" EAST ALONG SAID CENTERLINE, 13.31 FEET TO THE WESTERLY PROLONGATION OF THE NORTHERLY LINE OF BLOCK 6, THE THOMAS SUBDIVISION OF LOT 13 AND THE WEST HALF OF LOT 12, FRUITVALE; THENCE SOUTH 89°08'48" EAST ALONG THE NORTHERLY LINE OF SAID BLOCK 6, AND ITS EASTERLY AND WESTERLY PROLONGATIONS, 228.31 FEET TO THE CENTERLINE OF VACATED THOMAS STREET; THENCE SOUTH 00°01'33" WEST ALONG SAID CENTERLINE, 120.28 FEET TO THE CENTERLINE OF VACATED BROOKLYN AVENUE; THENCE SOUTH 89°10'50" EAST ALONG SAID CENTERLINE, 119.29 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF BROOKLYN AVENUE; THENCE SOUTH 00°49'10" WEST ALONG SAID RIGHT-OF-WAY LINE, 20.00 FEET TO THE NORTHEAST CORNER OF LOT 12 SAID BLOCK 3; THENCE SOUTH 00°56'35" EAST ALONG THE EASTERLY LINE OF LOTS 12-15 OF SAID BLOCK 3, 188.94 FEET TO THE SOUTHEAST CORNER OF SAID LOT 15; THENCE SOUTH 89°15'46" EAST ALONG THE NORTHERLY LINE OF LOT 7 OF SAID BLOCK 3, 100.02 FEET TO THE EASTERLY LINE OF SAID BLOCK 3; THENCE SOUTH 00°56'57" EAST ALONG SAID EASTERLY LINE, 215.62 FEET TO THE POINT OF BEGINNING AND THE TERMINUS OF THIS DESCRIPTION.

 7/22/19  
MICHAEL A. HOFFMANN DATE  
P.L.S. 40017

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON  
FEBRUARY 19, 1999  
MICHAEL A. HOFFMANN  
57847LS  
EXPIRES: 30 JUNE, 2021

### NARRATIVE:

THE PURPOSE OF THIS SURVEY WAS TO PARTITION THE PROPERTY DESCRIBED HEREON INTO THREE LOTS, AS WELL AS ESTABLISH EASEMENTS AND RIGHT-OF-WAY DEDICATIONS NOT PREVIOUSLY RECORDED.

FOUND MONUMENTS PER M132-67 WERE HELD, UNLESS OTHERWISE SHOWN HEREON. RECORD MEASUREMENTS SHOWN ON M132-67 WERE USED TO RE-ESTABLISH CORNERS WHERE MONUMENTS WERE NOT FOUND. PROPORTIONING OF INTERIOR LOTS IS BASED ON THE BLOCK MEASUREMENTS SHOWN ON M132-67. MEASUREMENTS ALONG NE STEPHENS STREET WERE CONFIRMED PER OSHD DRAWING NO. 10C-50-19.

THE RIGHT-OF-WAY DEDICATION SHOWN HEREON IS BASED ON THE PROPOSED RIGHT-OF-WAY DEDICATION SHOWN ON M132-67, SAID PROPOSED RIGHT-OF-WAY NOT BEING RECORDED AT THAT TIME. MONUMENTS ALONG THE EXTERIOR OF THAT PROPOSED DEDICATION WERE DESTROYED DURING ROADWAY CONSTRUCTION.

THE BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF THE SUBJECT PROPERTY AS SHOWN ON RECORD OF SURVEY, FILED AS M132-67 IN THE OFFICE OF THE DOUGLAS COUNTY SURVEYOR, STATE OF OREGON, BEING NORTH 89°23'59" WEST.

EQUIPMENT: LEICA TS16 ROBOTIC TOTAL STATION WITH CS20 CONTROLLER

### EASEMENTS

THE FOLLOWING EASEMENTS AND THOSE SHOWN HEREIN ARE BASED ON INFORMATION PROVIDED BY TICOR TITLE COMPANY COMMITMENT NO.'S 470317053888, 470317053891, AND 470317053893.

10' POWER LINE EASEMENT RECORDED NOVEMBER 14, 1951, AS NO. 131299, IN BOOK 200, PAGE 513; NOT PARTICULARLY DESCRIBED, THUS NOT SHOWN; LIES OVER LOT 1 OF BLOCK 5.

EASEMENTS FOR PUBLIC UTILITIES PURPOSES RECORDED JANUARY 12, 1952, AS NO. 134246, AS BOOK 203, PAGE 12. SAID ITEM IS ILLEGIBLE AND IS THEREFORE NOT SHOWN HEREON.

SANITARY SEWER EASEMENT RECORDED AUGUST 27, 1974, INST.#74-11803, BOOK 553, PAGE 798; SHOWN ON PAGE 3

ANY EASEMENTS OR RIGHTS OF WAY FOR EXISTING UTILITIES OR OTHER RIGHTS OF WAY OVER THOSE PORTIONS OF SAID LAND LYING WITHIN THE PUBLIC RIGHT OF WAY VACATED BY RESOLUTION OR ORDINANCE RECORDING DATE: FEBRUARY 14, 1978 RECORDING NO: 78-02785, BOOK 665, PAGE 1005;

C&R'S AS RECORDED DECEMBER 29, 1998 AS NO. 98-29430 & 98-29431, BOOK 1587, PAGE 134; BLANKET IN NATURE, THUS NOT SHOWN HEREIN.

RESTRICTIVE COVENANTS RECORDED DECEMBER 31, 1998, NO. 98-29638, BK 1587, PG 792; BLANKET IN NATURE THUS NOT SHOWN HEREIN.

ANY EASEMENTS OR RIGHTS OF WAY FOR EXISTING UTILITIES OR OTHER RIGHTS OF WAY OVER THOSE PORTIONS OF SAID LAND LYING WITHIN THE PUBLIC RIGHT OF WAY VACATED BY RESOLUTION OR ORDINANCE RECORDING DATE: MAY 5, 1999 RECORDING NO: 99-11891, BOOK 1615, PAGE 828; VACATED PUBLIC RIGHTS-OF-WAY SHOWN ON SHEET 2.

WATERLINE EASEMENT RECORDED DECEMBER 7, 1999 AS #99-29065, BOOK 1660, PAGE 005; SHOWN ON PAGE 3

ORDINANCE NO. 3216 RECORDED JANUARY 13, 2006 AS NO. 2006-001140; BLANKET IN NATURE THUS NOT SHOWN HEREIN.

THE PROPERTY IS SUBJECT TO COVENANTS AND EASEMENTS PER INSTRUMENT NO. 2017-017745.

### APPROVALS:

 8/1/19  
CITY OF ROSEBURG COMMUNITY DEVELOPMENT DIRECTOR DATE

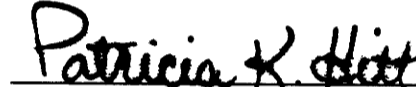
 8-1-19  
CITY OF ROSEBURG PUBLIC WORKS DIRECTOR DATE

 8-5-19  
DOUGLAS COUNTY SURVEYOR DATE

I HEREBY CERTIFY THAT ALL TAXES AND SPECIAL ASSESSMENTS OR OTHER CHARGES REQUIRED BY LAW HAVE BEEN PAID:

 8/28/19  
DOUGLAS COUNTY TAX COLLECTOR DATE

FILED THIS 28<sup>th</sup> DAY OF August, 2019

 8/28/19  
DOUGLAS COUNTY CLERK DATE



### DECLARATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT SAFEWAY INC., A DELEWARE CORPORATION; JOYCE ANN MILLIGAN, SURVIVING TRUSTEE OF THE REVOCABLE TRUST OF PATTON HP MILLIGAN AND JOYCE ANN MILLIGAN DATED MARCH 1, 1983 (THE "REVOCABLE TRUST") AS TO 29.151% JOYCE MILLIGAN, AS TRUSTEE OF THE REVOCABLE TRUST FOR COMMUNITY PROPERTY AND SEPARATE PROPERTY OF PATTON HORNER MILLIGAN AND JOYCE ANN MILLIGAN DATED FEBRUARY 24, 1982 (THE "COMMUNITY AND SEPARATE PROPERTY TRUST") AS TO 29.543% LAURA MILLIGAN, A MARRIED WOMAN ("LAURA") AS TO 4.008% KYLE MILLIGAN, A MARRIED MAN ("KYLE") AS TO 4.008% LAURA A. MILLIGAN, TRUSTEE OF THE LAURA A. MILLIGAN REVOCABLE TRUST DATED DECEMBER 13, 1988 (THE "LAURA REVOCABLE TRUST") AS TO 16.645% AND KYLE MILLIGAN AND SUSAN CASENTINI, TRUSTEES OF THE MILLIGAN FAMILY TRUST DATED APRIL 23, 2009 (THE "KYLE AND SUSAN TRUST") AS TO 16.645% (THE REVOCABLE TRUST, THE COMMUNITY AND SEPARATE PROPERTY TRUST, LAURA, KYLE, THE LAURA REVOCABLE TRUST AND THE KYLE AND SUSAN TRUST SHALL BE COLLECTIVELY, THE "MILLIGAN TRUSTS"), DO HEREBY DECLARE THAT THEY ARE THE OWNERS OF THE LAND AND THAT THEY DO CAUSE THE LAND TO BE PARTITIONED AND PLATTED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92, OREGON REVISED STATUTES, AND IN ACCORDANCE WITH THE CITY OF ROSEBURG APPROVAL FILE NO. P-18-1, AND HEREBY DEDICATE TO THE PUBLIC USE FOREVER THE ADDITIONAL ROAD WAY AREAS SHOWN ON SHEET 2 AS "RIGHT-OF-WAY DEDICATION"; AND WE DO ALSO CAUSE THE PUBLIC UTILITY EASEMENT TO BE CREATED AS SHOWN.

REFER TO AFFIDAVIT OF CONSENT, INSTRUMENT NO. 2019-013503  
DATE 8-28-2019 FOR SAFEWAY, INC.


REFER TO AFFIDAVIT OF CONSENT, INSTRUMENT NO. 2019-013505  
DATE 8-28-2019, FOR THE MILLIGANS & MILLIGAN TRUSTS

REFER TO AFFIDAVIT OF CONSENT, INSTRUMENT NO. 2019-013506  
DATE 8-28-2019, FOR CREDIT SUISSE AG

### SURVEYED FOR:

SAFEWAY, INC.  
250 EAST PARKCENTER BOULEVARD  
BOISE, IDAHO 83706

### SURVEYED BY:

  
TERRAMARK  
8196 SW HALL BOULEVARD, SUITE #201  
BEAVERTON, OR 97008; PH: 503/860-2255

2019-0022 A