

SCENIC HILLS

A SUBDIVISION
 LOCATED IN
 SE 1/4 SEC. 35, T.10S., R.4W., W.M.
 CITY OF ALBANY, BENTON COUNTY, OREGON

JANUARY 26, 2005
 CITY FILE No. SD-04-03

LEGEND:

- FOUND 5/8" "I.R. W/YPC STAMPED "K+D ENGR. L.S. 58561" PER C.S. 9992, EXCEPT AS NOTED
 - ⊙ FOUND 5/8" I.R. W/YPC STAMPED "JIM UDELL RLS 1366" PER "SCENICVIEW SUBDIVISION"
 - SET 5/8" x 30" ROD W/YELLOW PLASTIC CAP MARKED: "K+D ENGR. L.S. 58561"
 - △ SET WITNESS CORNER 5/8" x 30" IRON ROD W/YPC STAMPED "K+D ENGR. L.S. 58561"
 - () MEASURED INFORMATION, SAME AS RECORD PER C.S. 9992
 - C.S. COUNTY SURVEY
 - FD. FOUND
 - I.P. IRON PIPE (INSIDE DIAMETER)
 - I.R. IRON ROD
 - W.C. WITNESS CORNER
 - YPC YELLOW PLASTIC CAP
 - PUE PUBLIC UTILITY EASEMENT
 - R-O-W RIGHT-OF-WAY
 - (A) POINT REFERENCE DATA, SEE TABLE
 - (1) CURVE REFERENCE DATA, SEE TABLE
- CENTERLINE SECTION 35

REFERENCES:

- (A) GALLOWAY HARCOPY 10-04 0024
- (B) C.S. 2303
- (C) C.S. 9992

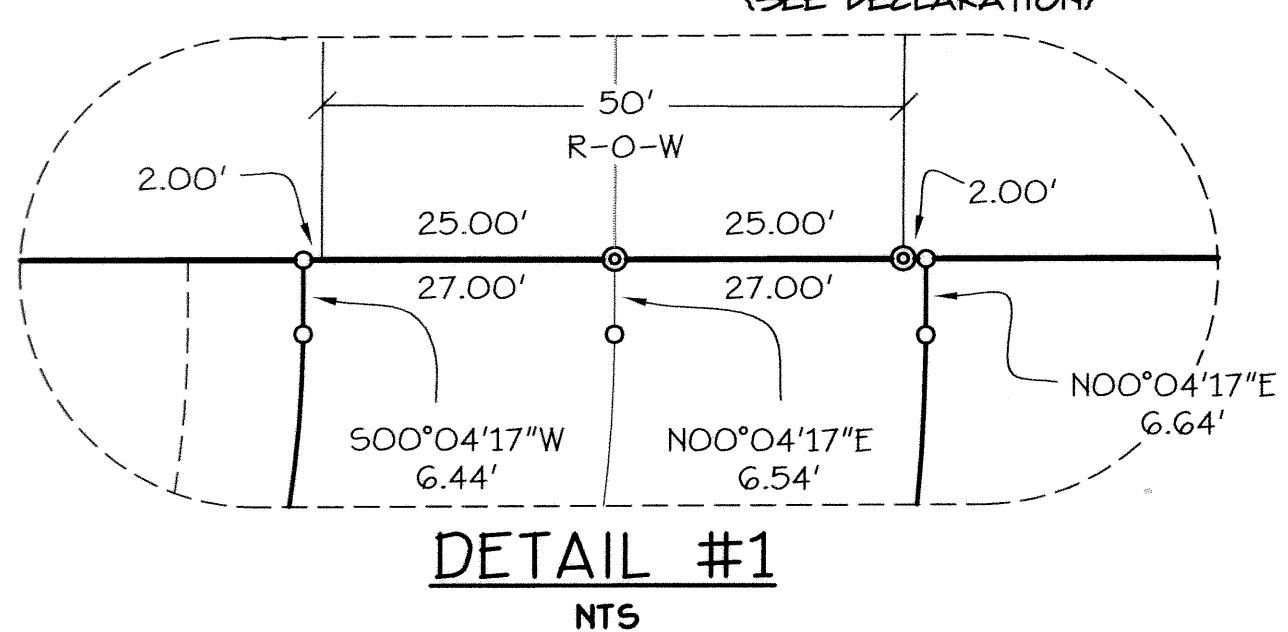
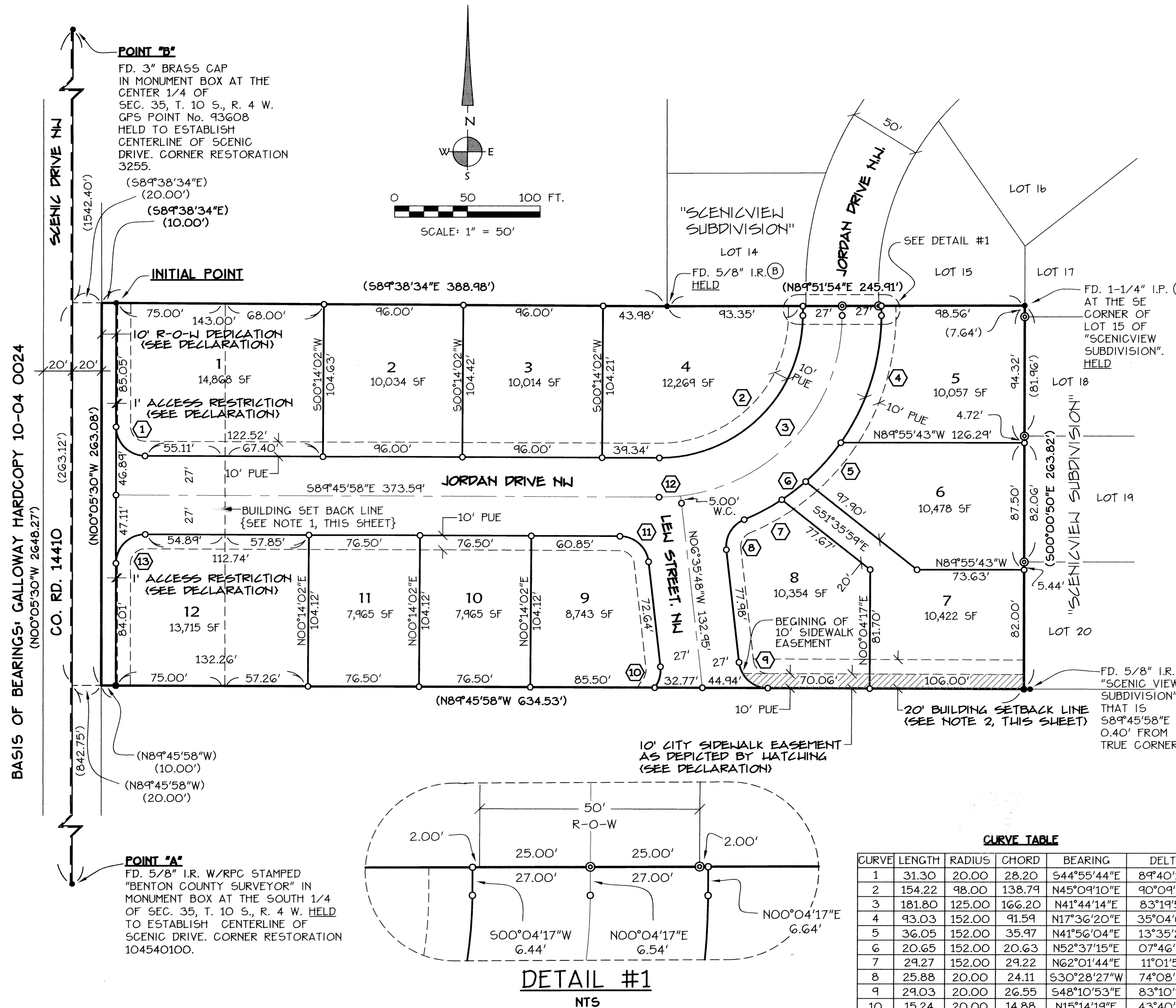
NOTES:

- 1.) THE BUILDING SETBACK SHOWN ON LOTS 1 AND 12 IS A 125 FOOT SETBACK FROM THE EFU ZONED LAND ON THE WEST SIDE OF SCENIC DRIVE. THE SETBACK IS MEASURED FROM THE EXISTING WEST RIGHT-OF-WAY LINE. THIS BUILDING SETBACK IS TO ALL HABITABLE PORTIONS OF RESIDENTIAL BUILDINGS LOCATED ON LOTS 1 AND 12.
- 2.) THE BUILDING 20-FOOT WIDE BUILDING SETBACK SHOWN ON LOTS 7 AND 8 IS TO A FUTURE EAST-WEST STREET THAT MAY BE CONSTRUCTED ALONG THE SOUTHERLY BOUNDARY LINES AND SAID LOTS.

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
 Joe J. Cota
 OREGON
 JULY 9, 2002
 JOE J. COTA
 #58561LS
 EXPIRES: 12/31/05

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

Joe J. Cota
 JOE J. COTA L.S. 58561



CURVE TABLE

| CURVE | LENGTH | RADIUS | CHORD | BEARING | DELTA |
|-------|--------|--------|--------|--------------|------------|
| 1 | 31.30 | 20.00 | 28.20 | S44°55'44\"E | 89°40'28\" |
| 2 | 154.22 | 98.00 | 138.79 | N45°09'10\"E | 90°09'45\" |
| 3 | 181.80 | 125.00 | 166.20 | N41°44'14\"E | 83°19'55\" |
| 4 | 93.03 | 152.00 | 91.59 | N17°36'20\"E | 35°04'06\" |
| 5 | 36.05 | 152.00 | 35.97 | N41°56'04\"E | 13°35'23\" |
| 6 | 20.65 | 152.00 | 20.63 | N52°37'15\"E | 07°46'59\" |
| 7 | 29.27 | 152.00 | 29.22 | NG2°01'44\"E | 11°01'58\" |
| 8 | 25.88 | 20.00 | 24.11 | S30°28'27\"W | 74°08'31\" |
| 9 | 29.03 | 20.00 | 26.55 | S48°10'53\"E | 83°10'10\" |
| 10 | 15.24 | 20.00 | 14.88 | N15°14'19\"E | 43°40'13\" |
| 11 | 29.03 | 20.00 | 26.55 | N48°10'53\"W | 83°10'10\" |
| 12 | 14.90 | 125.00 | 14.89 | N86°49'07\"E | 06°49'50\" |
| 13 | 31.53 | 20.00 | 28.36 | S45°04'16\"W | 90°19'32\" |

K & D ENGINEERING, Inc.
 276 N.W. Hickory Street P.O. Box 725
 Albany, Oregon 97321
 (541) 928-2583

Date: 1/26/2005 Time: 14:34
 Scale: 1=50(P5)
 File: dwg\2003\03-38-F\0338F-SUB.dwg (Brian E)

SCENIC HILLS

A SUBDIVISION
LOCATED IN
SE 1/4 SEC. 35, T.10S., R.4W., W.M.
CITY OF ALBANY, BENTON COUNTY, OREGON

JANUARY 26, 2005

CITY FILE No. SD-04-03

NARRATIVE:

PURPOSE:

THE PURPOSE OF THIS PLAT IS TO COMPLETE A SUBDIVISION OF THE PROPERTY THAT HAS BEEN APPROVED BY THE CITY OF ALBANY UNDER CASE FILE No. SD-04-03

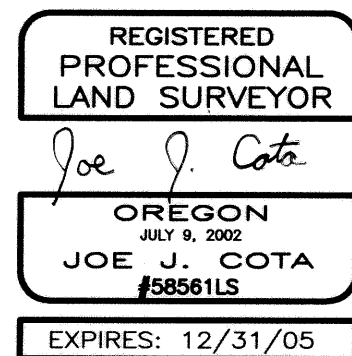
BOUNDARY DETERMINATION:

C.S. 9992 HAS BEEN FILED TO ESTABLISH THE BOUNDARY OF THE LAND OWNED BY THE DECLARANTS. THE INTERIOR PROPERTY CORNERS, AS SHOWN ON THE MAP, HAVE BEEN ESTABLISHED IN ACCORDANCE WITH THE APPROVED TENTATIVE SUBDIVISION PLAT.

SURVEYOR'S CERTIFICATE:

I, JOE J. COTA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CORRECTLY SURVEYED THE LAND AS REPRESENTED AND HAVE FOUND A PROPER MONUMENT TO INDICATE THE INITIAL POINT AND HAVE ACCURATELY DESCRIBED THE TRACT OF LAND UPON WHICH THE LOTS AND STREETS ARE LAID OUT AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 35, TOWNSHIP 10 SOUTH, RANGE 4 WEST, WILLAMETTE MERIDIAN, BENTON COUNTY, OREGON; THENCE NORTH 00°05'30" WEST, ALONG THE CENTERLINE OF SAID SECTION 35, A DISTANCE OF 1105.87 FEET; THENCE SOUTH 89°38'34" EAST 30.00 FEET TO THE INITIAL POINT, A 5/8 x 30 INCH ROD, WHICH POINT BEING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PROPERTY; THENCE SOUTH 89°38'34" EAST 378.98 FEET TO A 5/8 INCH ROD; THENCE NORTH 89°51'54" EAST 245.91 FEET TO A 1-1/4 INCH IRON PIPE; THENCE SOUTH 00°00'50" EAST 263.82 FEET TO A 5/8 INCH ROD; THENCE NORTH 89°45'58" WEST 634.53 FEET; THENCE NORTH 00°05'30" WEST 263.08 FEET; THENCE SOUTH 89°38'34" EAST 10.00 FEET TO THE TRUE POINT OF BEGINNING. CONTAINING 3.83 ACRES OF LAND, MORE OR LESS.



I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

Signature of Joe J. Cota, L.S. 58561

PUBLIC UTILITY EASEMENT STATEMENT(FOR FRANCHISE UTILITIES)

A PERPETUAL EASEMENT IS RESERVED FOR PUBLIC UTILITY PURPOSES AS INDICATED IN THE DECLARATION AND SHOWN ON THE PLAT. FOR PURPOSES OF THIS STATEMENT PUBLIC UTILITIES AREA DEFINED AS POWER, GAS, TELEPHONE, CABLE TELEVISION, AND ANY OTHER UTILITIES THAT HAVE FRANCHISE AGREEMENTS WITH THE CITY OF ALBANY. THE PUBLIC UTILITY EASEMENT SHALL BE FOR THE INSTALLATION, AND FOR MAINTENANCE AND REPLACEMENT OVER AND UNDER THE GROUND. THIS RESERVATION SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS FROM ANY AND ALL PUBLIC EASEMENTS IN ANY MANNER NECESSARY FOR THE PURPOSE OF CONSTRUCTION, MAINTENANCE, OR REMOVAL OF THE PUBLIC UTILITY, PROVIDED THAT UNDER THE TERMS OF THE CITY FRANCHISE AGREEMENT, THE UTILITY OR SERVICE USING THIS EASEMENT SHALL RESTORE THE PROPERTY AS NEAR AS PRACTICAL TO ITS CONDITION PRIOR TO SAID INSTALLATION OR MAINTENANCE.

DECLARATION:

LET ALL PERSONS BY THIS DECLARATION KNOW THAT TIMBERGREEN HOMES L.L.C, AN OREGON LIMITED LIABILITY COMPANY, IS THE OWNER OF THE LAND SHOWN ON THE ATTACHED PLAT DEDICATED AS SCENIC HILLS AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO LOTS AND STREETS AS SHOWN ON THE MAP, IN ACCORDANCE WITH OREGON REVISED STATUES, CHAPTER 92.

A) THE FOLLOWING LANDS ARE BEING DEDICATED TO THE PUBLIC FOR THE FOLLOWING PURPOSES:

1) STREETS IDENTIFIED AS JORDAN DRIVE N.W. AND LEW STREET NW, AND A 10' WIDE STRIP ABUTTING SCENIC DRIVE, AS SHOWN ON THIS MAP.

B) THE FOLLOWING PUBLIC UTILITY EASEMENTS FOR FRANCHISE UTILITIES ARE BEING DEDICATED TO THE PUBLIC. THESE EASEMENTS ARE SUBJECT TO THE TERMS OF THE "PUBLIC UTILITY EASEMENT STATEMENT" SHOWN ON THIS SHEET.

1) A 10' WIDE PUBLIC UTILITY EASEMENT ALONG THE STREET RIGHT-OF-WAYS ADJOINING LOTS 1 THROUGH 12, INCLUSIVE, AS SHOWN ON THE MAP.

2) A 10' WIDE PUBLIC UTILITY EASEMENT ALONG THE SOUTHERLY BOUNDARY OF LOTS 7 AND 8 AS SHOWN ON THE MAP.

C) THE FOLLOWING CITY EASEMENTS ARE BEING DEDICATED TO THE CITY OF ALBANY FOR THE PURPOSES STATED:

1) A 100' FOOT ACCESS RESTRICTION EASEMENT ALONG SCENIC DRIVE NW., AS SHOWN ON THE MAP. LOTS 1 AND 12 ARE RESTRICTED FROM DIRECT ACCESS TO SCENIC DRIVE NW.

2) A 10' WIDE CITY SIDEWALK EASEMENT OVER THE SOUTHERLY PORTION OF LOTS 7 AND 8 AS SHOWN ON THE MAP.

TIMBERGREEN HOMES, LLC

BY: Signature of Steven M. Wagener, Managing Member

ACKNOWLEDGMENT:

STATE OF OREGON }
COUNTY OF Benton } ss

THIS IS TO CERTIFY THAT ON THIS 26th DAY OF January, 2005, BEFORE ME, Steven M. Warener, NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED THE WITHIN NAMED STEVEN M. WAGENER, MANAGING MEMBER OF TIMBERGREEN HOMES, LLC, AN OREGON LIMITED LIABILITY COMPANY. WHOM BEING DULY SWORN, DID SAY THAT HE IS THE IDENTICAL PERSON NAMED IN THE FOREGOING INSTRUMENT AND HAVE ACKNOWLEDGED SAID INSTRUMENT TO BE HIS VOLUNTARY ACT AND DEED, IN BEHALF OF SAID CORPORATION.

BY: Signature of Nancy L. Mehr, Notary Public for Oregon (Signature)

BY: NANCY L. MEHR, Notary Public for Oregon (Printed)

MY COMMISSION EXPIRES: 4-11-05

MY COMMISSION No.: 342920

APPROVALS:

BY: Signature of Linda Hoffmann for Diane Taniguchi Dennis, Public Works Director, City of Albany, 3-14-05

BY: Signature of Janet Morris for Helen Burns Sharp, Community Development Director, City of Albany, 2-2-05

BY: Signature of Annabelle Jaramol, Chair, Benton County Board of Commissioners, 3/29/05

BY: Signature of Joe Martin, Benton County Surveyor, 3-29-05

ASSESSORS STATEMENT:

I CERTIFY THAT PURSUANT TO O.R.S. 92.095, ALL VALOREM TAXES, FEES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED ON THE 2004 - 2005 TAX ROLL, WHICH BECAME A LIEN OR WILL BECOME A LIEN ON THIS SUBDIVISION DURING THIS TAX YEAR, BUT NOT YET CERTIFIED TO THE TAX COLLECTOR FOR COLLECTION, HAVE BEEN PAID TO ME THIS 21st DAY OF MARCH, 2005.

BY: Signature of Douglas Hilbert, Director, Benton County Dept. of Assessment

TAX COLLECTION STATEMENT:

I CERTIFY THAT ALL VALOREM TAXES AND OTHER CHARGES REQUIRED BY LAW TO BE PLACED UPON THE TAX ROLLS WHICH HAVE BECOME A LIEN OR WILL BECOME A LIEN ON THIS SUBDIVISION PLAT THAT ARE NOW DUE AND PAYABLE HAVE BEEN PAID TO THE DATE OF June 30, 2005.

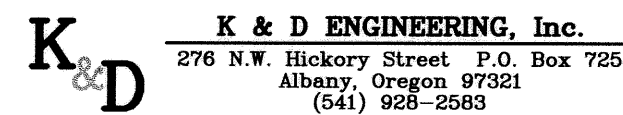
BY: Signature of Ulda Holseth, Director, Benton County Dept. of Finance Auditing and Tax Collection

RECORDERS CERTIFICATION:

I HERBY CERTIFY THAT THIS SUBDIVISION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE BENTON COUNTY DEED RECORDS AS DOCUMENT NUMBER 2005-38304 ON THIS 29th DAY OF March, 2005 AT 3:04 O'CLOCK P.M.

BY: Signature of Recorder, Benton County Clerk

AFFIDAVIT OF CONSENT FOR STERLING SAVINGS BANK PER 2005-383040



Date: 1/26/2005 Time: 14:40
Scale: 1=50(P5)
File: dwg\2003\03-38-F\0338F-SUB.dwg (Brian E)

BOOK 10 PAGE 73

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REGISTERED
PROFESSIONAL
LAND SURVEYOR

Joe J. Cota
OREGON
JULY 9, 2002
JOE J. COTA
#58561S

EXPIRES: 12/31/05

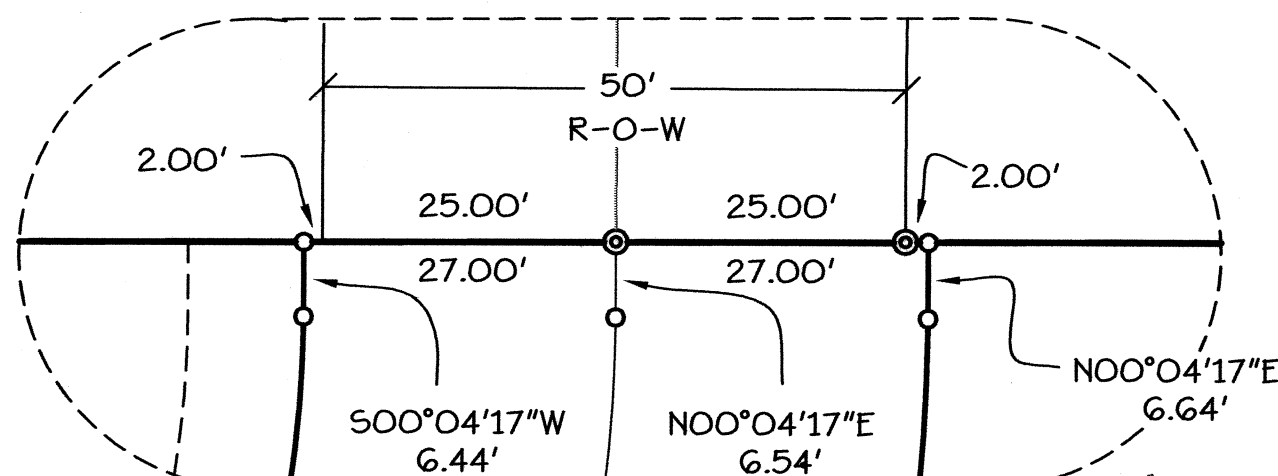
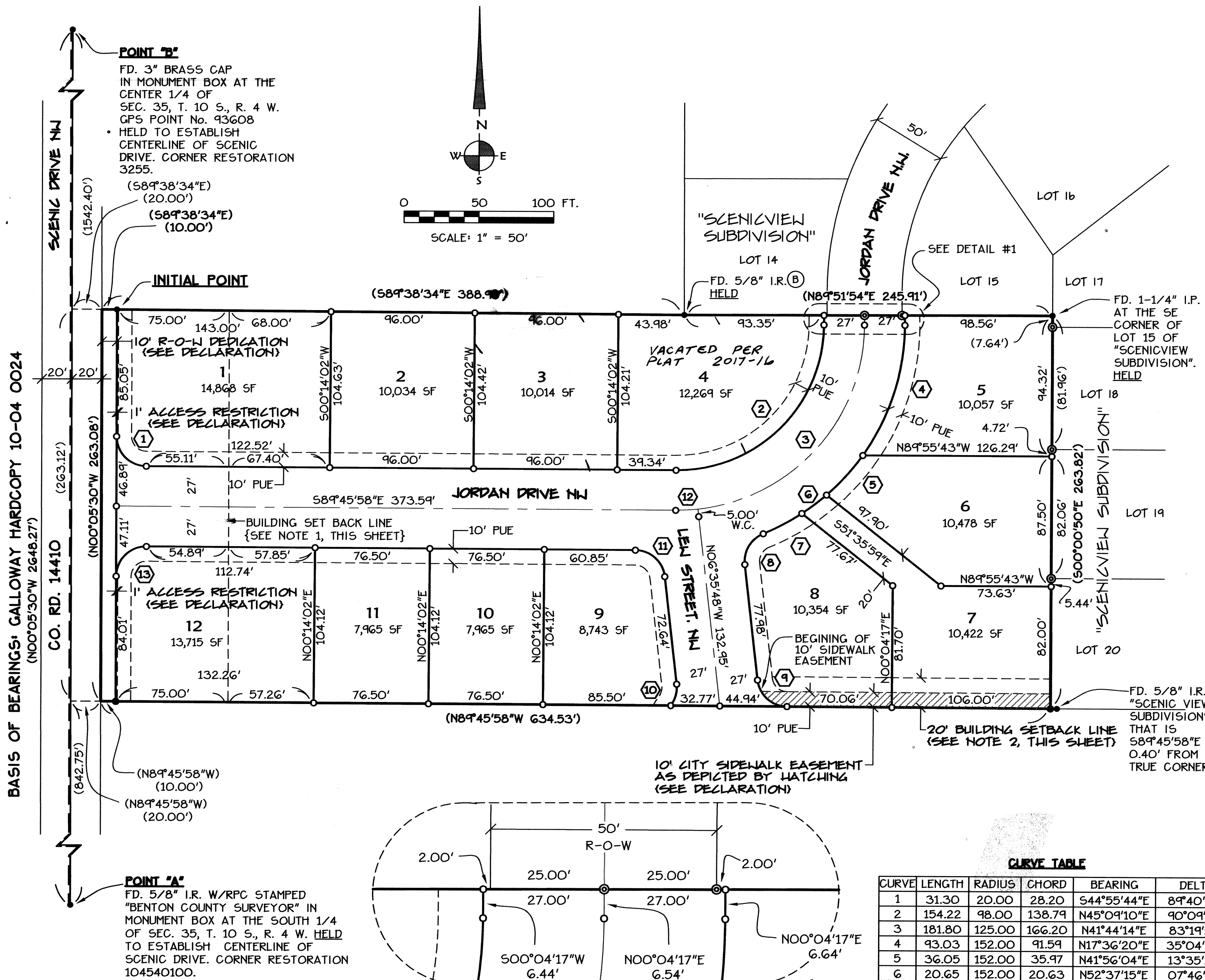
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Joe J. Cota

JOE J. COTA

L.S. 58561

SHEET 1 OF 2



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