

RESOLUTION NO. 1334

**A RESOLUTION ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT AT 1614 SE BEAVER CREEK LANE FROM JEREMY AND KAREN HOYT**

WHEREAS, the City is preparing to begin construction of the Beaver Creek Erosion Mitigation Projects; and

WHEREAS, an easement over the above stated property is needed to provide access for movement of equipment, personnel, and materials and storage of equipment and materials associated with said projects; and

WHEREAS, this easement need only remain in effect for the duration of construction activity associated with said project.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE**

That the City accepts the temporary construction easement, attached hereto and made a part hereof, on the property 1614 SE Beaver Creek Lane from Jeremy and Karen Hoyt

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

  
as Thalmer, Mayor

Dated: 7-22-97

  
Debbie Stickney, Deputy City Recorder

Adopted: 7-22-97

## Temporary Construction Easement

(WE/I) JEREMY K HOYT,  
hereinafter called "Grantor", convey to the CITY OF TROUTDALE, hereinafter called "Grantee", its successors and assigns, for public use and benefit, a temporary, non-exclusive easement upon the land described in Exhibit A, attached, for the uses set forth herein.

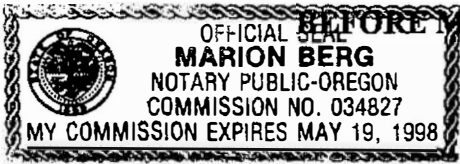
The terms of this utility easement are as follows:

1. Duration of this easement will begin upon the date of signing and will end upon acceptance of the improvements associated with the fiscal year 1997-98 Beaver Creek Erosion Mitigation Projects by the City of Troutdale city council.
2. The consideration given for this easement is zero dollars. No other consideration is expressed or implied.
3. Grantor acknowledges that no building or structure will be erected on this easement during the term of the easement. Additionally, grantor acknowledges that (s)he will refrain from storing movable objects or materials on this easement during the term of the easement.
4. Grantee, its agents, and its independent contractors shall use the easement for the purpose of movement of equipment, personnel, and materials; storing equipment and materials; and performing other necessary construction activity directly related to the fiscal year 1997-98 Beaver Creek Erosion Mitigation Projects, upon the tract of land described in Exhibit A.
5. Grantee agrees to indemnify and defend the Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of the easement property.
6. This easement is granted subject to all prior easements or encumbrances of record.
7. The Grantor warrants that (s)he is(are) the sole owner(s) of the easement property.

Date: 30 JUNE 97  
Grantor: Jeremy K Hoyt  
Address: P.O. BOX 601  
TROUTDALE OR 97060

STATE OF OREGON )  
 ) ss.  
COUNTY OF MULTNOMAH )

Personally appeared the above named Jeremy K. Hoyt and acknowledged the foregoing instrument to be his/their voluntary act and deed.



BEFORE ME: Marion Berg  
Notary Public For Oregon  
Commission Expires: 5-19-98

(seal)

CERTIFICATE OF ACCEPTANCE

I, Debbie Stickney, <sup>Deputy</sup> Recorder of the City of Troutdale, hereby certify that the foregoing easement was accepted by the City Council of the City of Troutdale on the 22 day of July, 1997, by Resolution No. 1334.

Dated this 23 day of July, 1997.

Debbie Stickney  
City Recorder

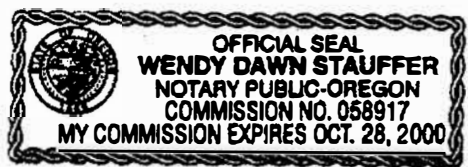
(seal)

STATE OF OREGON )  
 ) ss.  
COUNTY OF MULTNOMAH )

Personally appeared the above named Debbie Stickney, and acknowledged the foregoing instrument to be the voluntary act and deed of the CITY OF TROUTDALE.

BEFORE ME: Wendy D. Stauffer  
Notary Public For Oregon  
Commission Expires: 10-28-2000

(seal)

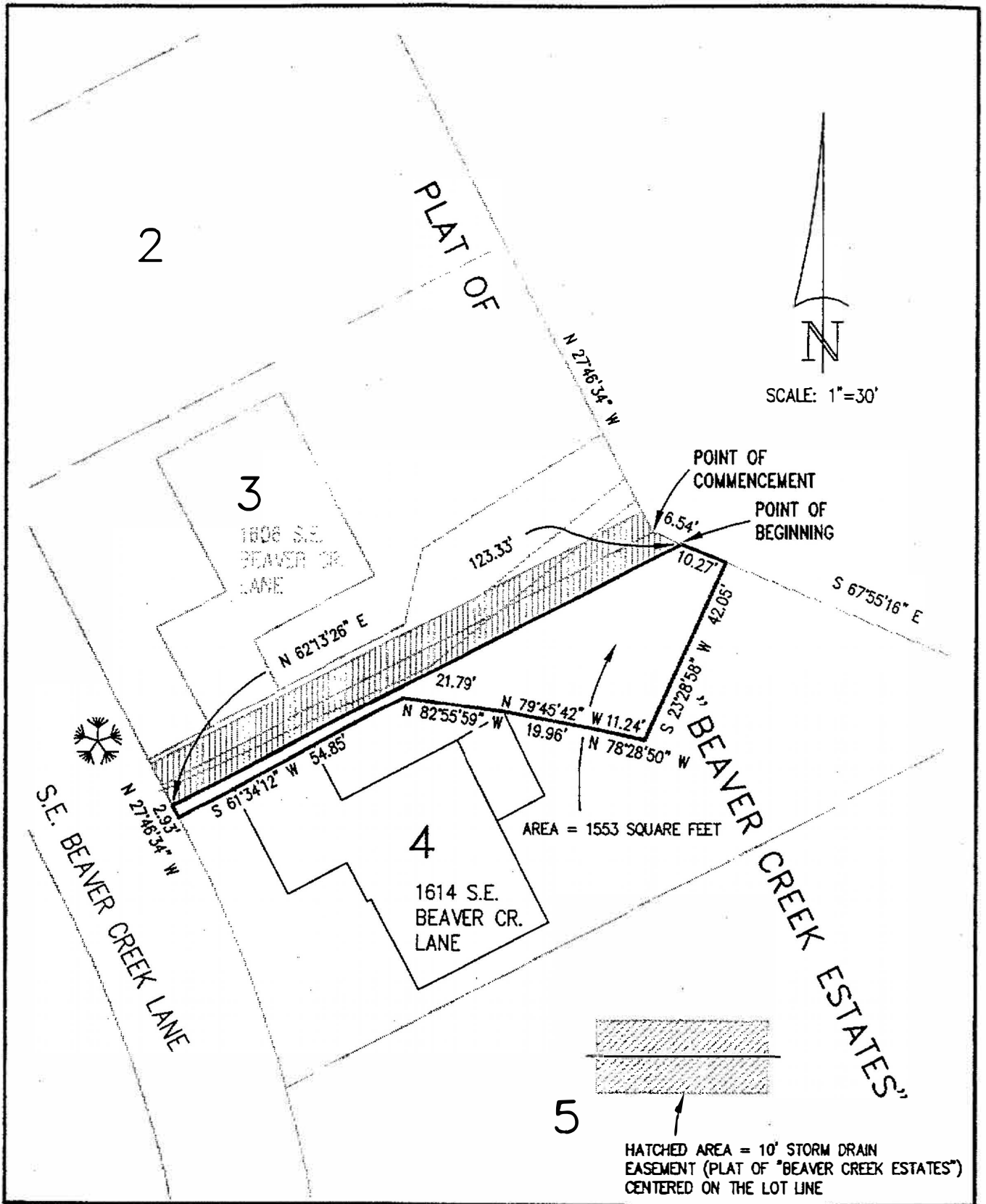


**EXHIBIT A**  
**"BEAVER CREEK ESTATES"**  
**LOT 4, BLOCK 1**  
**1614 S.E. BEAVER CR. LANE**  
**TEMPORARY CONSTRUCTION ACCESS EASEMENT**  
**May 12, 1997**

A parcel of land in Lot 4, Block 1, of the plat of "Beaver Creek Estates" as recorded in Book 1209, Page 16, Multnomah County Records and in the Northwest one-quarter of Section 36, Township 1 North, Range 3 East, of the Willamette Meridian, City of Troutdale, Multnomah County, Oregon, said parcel being more particularly described as follows:

Commencing at the Northeast corner of said Lot 4, Block 1; thence South 67°55'16" East, 6.54 feet, along the easterly line of said Lot 4, Block 1, to the **Point of Beginning** of the herein described parcel;  
thence continuing South 67°55'16" East, 10.27 feet along said easterly line;  
thence leaving said easterly line, South 23°28'58" West, 42.05 feet;  
thence North 78°28'50" West, 11.24 feet;  
thence North 79°45'42" West, 19.96 feet;  
thence North 82°55'59" West, 21.79 feet;  
thence South 61°34'12" West, 54.85 feet to a point on the easterly line of S.E. Beaver Creek Lane;  
thence North 27°46'34" West, 2.93 feet, along said easterly line;  
thence leaving said easterly line, North 62°13'26" East, 123.33 feet along a line that is 5.00 feet southerly of, when measured at right angles to, the line common to Lots 3 and 4 of said Block, to the **Point of Beginning**.

Parcel contains 1,553 square feet (0.036 acres), more or less.



DRAWING TO ACCOMPANY EXHIBIT "A"  
 "BEAVER CREEK ESTATES"  
 LOT 4, BLOCK 1  
 1614 S.E. BEAVER CR. LANE  
 TEMPORARY CONSTRUCTION ACCESS EASEMENT  
 May 12, 1997

**otak**  
 incorporated

surveyors  
 engineers  
 planners

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