

RESOLUTION NO. 1335

A RESOLUTION ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT AT 2156 SE BEAVER CREEK LANE FROM LISA AUSTIN

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 2156 SE Beaver Creek Lane from Lisa Austin

YEAS: 5
NAYS: 0
ABSTAINED: 0


Paul Thalhofer, Mayor

Dated: 7-22-97


Debbie Stickney, Deputy City Recorder

Adopted: 7-22-97

Temporary Construction Easement

(WE / I) LISA AUSTIN,
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.

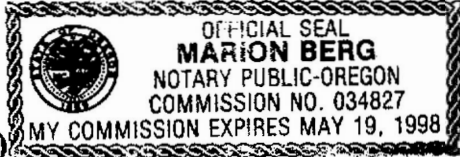
Date: June 27 1997
Grantor: Lisa D Austin
Address: 2156 SE Beaver Creek W
Troutdale

STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

Personally appeared the above named Lisa Austin, 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, ^{Deputy} 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. 1335.

Dated this 23 day of July, 1997.

Debbie Stickney
City Recorder

(seal)

STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

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

BEFORE ME:

Notary Public For Oregon
Commission Expires: _____

(seal)

EXHIBIT A
"CORBETH"
LOT 19, BLOCK 1
2156 S.E. BEAVER CR. LANE
TEMPORARY CONSTRUCTION ACCESS EASEMENT
May 12, 1997

A parcel of land in Lot 19, Block 1, of the Plat of "Corbeth" as recorded in Book 1208, Pages 26 and 27, Multnomah County Plat Records, and in the South one-half of Section 36, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, said parcel being more particularly described as follows:

Commencing at the Southeast corner of said Lot 19; thence North $27^{\circ}44'29''$ East, 16.97 feet along the easterly line at said Lot 3, Block 1, to the **Point of Beginning** of the herein described parcel;
thence West, 122.24 feet along a line that is 15.00 feet northerly of, when measured at right angles to, the South line of said parcel, to a point on the easterly line of S.E. Beaver Creek Lane;
thence northerly along said easterly line, along the arc of a non-tangent curve (the radius point of which bears South $77^{\circ}36'35''$ East, 223.00 feet) through a central angle of $00^{\circ}55'13''$, 3.58 feet (chord bears North $12^{\circ}51'00''$ East, 3.58 feet);
thence leaving said easterly line, North $88^{\circ}36'12''$ East, 43.63 feet;
thence North $43^{\circ}25'50''$ East, 22.79 feet;
thence South $89^{\circ}53'20''$ East, 73.17 feet to a point on the easterly line of said Lot 19;
thence South $27^{\circ}44'29''$ West, 23.68 feet along said easterly line to the **Point of Beginning**.

Parcel contains 1801 square feet (0.041 acres), more or less.



SCALE: 1"=30'

$\Delta = 00^{\circ}55'13''$
 $R = 223.00'$
 $L = 3.58'$
CB = N $12^{\circ}51'00''$ E
3.58'

S.E. BEAVER CREEK LANE
"CORBETH"

20

2156 SE BEAVER CR. LANE

19

BUILDING LINE

DECK SUPPORTS (TYPICAL)

AREA = 1801 SQUARE FEET

N $88^{\circ}36'12''$ E 43.63'

N $43^{\circ}25'30''$ E
22.79'

S $89^{\circ}53'20''$ E 73.17'

WEST 122.24'

14.35'

23.68'
55.00'

S $27^{\circ}44'29''$ W

POINT OF BEGINNING
POINT OF COMMENCEMENT

15' STORM DRAIN
EASEMENT PER
PLAT OF "CORBETH"

DECK SUPPORTS (TYPICAL)

BUILDING LINE

PLAT OF

18

2204 SE BEAVER CR. LANE

17

DRAWING TO ACCOMPANY EXHIBIT "A"
"CORBETH"
LOT 19, BLOCK 1
2156 SE BEAVER CR. LANE
TEMPORARY CONSTRUCTION EASEMENT
May 12, 1997

otak
incorporated

surveyors
engineers
planners

17355 S.W. BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
(503)635-3618 FAX (503)635-5395