

RESOLUTION NO. 1336

A RESOLUTION ACCEPTING A TEMPORARY CONSTRUCTION EASEMENT AT 2204 SE BEAVER CREEK LANE FROM TODD AND JOANN SHIRD

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 at 2204 SE Beaver Creek Lane from Todd and Joann Shird

YEAS:	<u>5</u>
NAYS:	<u>0</u>
ABSTAINED:	<u>0</u>


Paul Thalhoffer, Mayor

Dated: 7-22-97


Debbie Stickney, Deputy City Recorder

Adopted: 7-22-97

Temporary Construction Easement

(WE/D) Joanne T + Todd R Shird, 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: Jo June 27, 97

Grantor: Joanne T + Todd R Shird

Address: 2204 SE BEAVERCREEK LN
Troutdale, Or 97060

[Signature]
[Signature]

STATE OF OREGON)

)

) ss.

COUNTY OF MULTNOMAH)

Personally appeared the above named Todd R. Shud and Joanne T. Shud 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. 1336.

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 18, BLOCK 1
2204 S.E. BEAVER CR. LANE
TEMPORARY CONSTRUCTION ACCESS EASEMENT
May 12, 1997

A parcel of land in Lot 18, 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 Northeast corner of said Lot 18; thence South 22°11'34" East, 21.30 feet along the easterly line of said Lot 18 to the **Point of Beginning**;
thence leaving said easterly line, North 71°28'03" West, 62.04 feet to a point on the line common to Lots 18 and 19 of said plat;
thence West, 22.44 feet along said line common to said Lots 18 and 19;
thence leaving said common line, South 12°28'32" East, 15.30 feet;
thence South 79°54'32" East, 83.17 feet to a point on the easterly line of said Lot 18;
thence North 22°11'34" West, 10.54 feet along said easterly line, to the **Point of Beginning**.

Parcel contains 1,168 square feet (0.027 acres), more or less.



SCALE: 1"=30'

Δ = 00°55'13"
= 220.00'
L = 3.58'
CB = N 12°57'00" E
3.58'

S.E. BEAVER CREEK LANE
"CORBETH"

20

2156 SE BEAVER CR. LANE

19

BUILDING LINE

DECK SUPPORTS (TYPICAL)

S 89°53'20" E 73.17'
AREA = 1801 SQUARE FEET

N 89°34'12" E 43.67'
S 00°00'00" W 122.24'

43.87'
15' STORM DRAIN
EASEMENT PER
PLAT OF "CORBETH"

WEST 117.09'

POINT OF COMMENCEMENT

S 12°28'32" E
15.30'

N 71°28'03" W 62.04'

POINT OF BEGINNING

S 79°54'32" E
83.17'

AREA = 1168 SQUARE FEET

60.50' S 22°13'4" E
28.66'

PLAT OF

18

2204 SE BEAVER CR. LANE

17

DRAWING TO ACCOMPANY EXHIBIT "A"
"CORBETH"
LOT 18, BLOCK 1
2204 SE BEAVER CR. LANE
TEMPORARY CONSTRUCTION EASEMENT
May 12, 1997

otak
Incorporated

surveyors
engineers
planners

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