

RESOLUTION NO. 1338

A RESOLUTION ACCEPTING A UTILITY 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, the City requires a permanent utility easement for the purpose of entering upon and constructing, maintaining, and operating the public utilities associated with said projects; and

WHEREAS, the owner of said property freely and willfully agrees to grant the required easement.

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

That the City accepts the permanent utility easement, attached hereto and made a part hereof, on the property at 2204 SE Beaver Creek Lane from Todd and Joann Shird

YEAS: 5  
NAYS: 0  
ABSTAINED: 0

*Paul Thalhofer*  
Paul Thalhofer, Mayor

Dated: 7-22-97

*Debbie Stickney*  
Debbie Stickney, Deputy City Recorder

Adopted: 7-22-97

AFTER RECORDING RETURN TO:  
GEORGE MARTINEZ, CITY RECORDER  
104 SE KIBLING AVE.  
TROUTDALE, OR 97060

Recorded in the County of Multnomah, Oregon  
C. Swick, Deputy Clerk

53.00

97117678 4:07pm 08/04/97

009 40019766 04 03  
A49 5 5.00 25.00 3.00 0.00 20.00

5

# Utility Easement

(WE/I) Joanne T + Todd R. Shiro, hereinafter called "Grantor", convey to the CITY OF TROUTDALE, hereinafter called "Grantee", its successors and assigns, for public use and benefit, a perpetual, 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. The consideration given for this easement is zero dollars. No other consideration is expressed or implied.
2. Grantor acknowledges that no building or structure shall be erected on this easement.
3. Grantee, its agents, and its independent contractors shall use the easement for the purpose of entering upon and constructing, maintaining, and operating public utilities in, on, and over the above described tract of land.
4. 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.
5. This easement is granted subject to all prior easements or encumbrances of record.
6. The Grantor warrants that (s)he is(are) the sole owner(s) of the easement property.

Date:

June 27, 97

Grantor:

Joanne T + Todd R Shiro, Slippy

Address:

2204 SE BEAVERCREEK LN Troutdale, Or 97060

STATE OF OREGON

)  
) ss.  
)

*Todd R. Shud*

COUNTY OF MULTNOMAH

Personally appeared the above named *Jovanne 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*



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*, 199*7*, by Resolution No. *1338*.

Dated this *23* day of *July*, 199*7*.

*Debbie Stickney*  
City Recorder

(seal)

STATE OF OREGON

)  
) ss.  
)

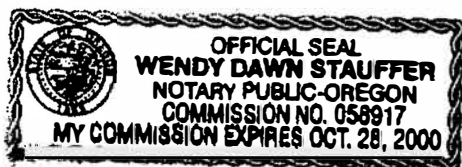
COUNTY OF MULTNOMAH

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**  
**"CORBETH"**  
**LOT 18, BLOCK 1**  
**2204 S.E. BEAVER CR. LANE**  
**STORM DRAINAGE 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:

**Beginning** at the Northeast corner of said Lot 18; thence South  $22^{\circ}11'34''$  East, 21.30 feet along the easterly line of said Lot 18, Block 1; thence leaving said easterly line, North  $71^{\circ}28'03''$  West, 62.04 feet to a point on the line common to Lots 18 and 19 of said Block 1; thence East, 50.78 feet along said line common to Lots 18 and 19, to the **Point of Beginning**.

Parcel contains 500 square feet (0.012 acres), more or less.



SCALE: 1"=30'

$\Delta = 0^\circ 55' 15"$   
 $R = 233.04'$   
 $L = 3.58'$   
CB = N  $17^\circ 51' 00"$  E  
3.58'

S.E. BEAVER CREEK LANE  
"CORBETH"

20

2156 SE BEAVER CR. LANE

19

BUILDING LINE

DECK SUPPORTS (TYPICAL)

AREA = 1001 SQUARE FEET

PLAT OF

15' STORM DRAIN EASEMENT PER PLAT OF "CORBETH"

43.87'

EAST 115.09'

POINT OF BEGINNING

22.44'

50.78'

21.50'

N  $71^\circ 28' 03"$  W 62.04'

DECK SUPPORTS (TYPICAL)

BUILDING LINE

AREA = 500 SQUARE FEET

18

2204 SE BEAVER CR. LANE

60.50' S  $22^\circ 13' 4"$  E

17

DRAWING TO ACCOMPANY EXHIBIT "A"  
"CORBETH"  
LOT 18, BLOCK 1  
2204 SE BEAVER CR. LANE  
STORM DRAINAGE 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