

## **RESOLUTION NO. 2201**

### **A RESOLUTION GRANTING A TEMPORARY EASEMENT TO ODOT TO ALLOW CONSTRUCTION STAGING FOR THE I-84 SANDY RIVER BRIDGE REPLACEMENT PROJECT**

#### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. The Oregon Department of Transportation (ODOT) is removing the existing I-84 bridges over the Sandy River and constructing new bridges in their place.
2. Access to the south side of the bridges for this construction project is along the northern boundary of the City's former sewage treatment plant property that is now within the City's urban renewal area.
3. The project requires use of approximately one acre of city property as a staging area for storage of construction equipment and materials over the course of the project.
4. The requested staging area is currently in use by ODOT to allow Hamilton Construction storage of construction equipment and materials and will not negatively impact future development plans for the property.
5. The existing easement for use of the easement area by ODOT has expired and the new easement will be in effect from May 27, 2013 to November 26, 2014.

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

Section 1. The City agrees to grant a temporary easement to the Oregon Department of Transportation for their I-84 Sandy River bridge replacement project.

Section 2. The Mayor is authorized to sign the temporary easement, attached to the Staff Report as Exhibit "A", on behalf of the City of Troutdale.

Section 3. This resolution shall take effect upon immediately upon adoption.

**YEAS: 7**  
**NAYS: 0**

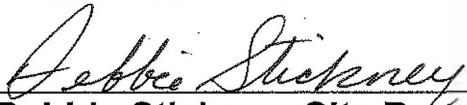
ABSTAINED: 0



\_\_\_\_\_  
Doug Daoust, Mayor

5/16/13

\_\_\_\_\_  
Date



\_\_\_\_\_  
Debbie Stickney, City Recorder

Adopted: May 14, 2013

**TEMPORARY EASEMENT**

**THE CITY OF TROUTDALE, an Oregon municipal corporation**, Grantor, for the true and actual consideration of \$36,900.00, does grant to the **STATE OF OREGON, by and through its DEPARTMENT OF TRANSPORTATION**, Grantee, its successors and assigns, a temporary easement for a work area for construction purposes, over and across the property described on **Exhibit "A" dated 10/29/2012**, attached hereto and by this reference made a part hereof.

GRANTEE DESIRES to acquire an additional (18) eighteen months to the already (3) year term referenced in that Temporary Easement recorded June 14, 2010 as Instrument No. 2010-073757 File #7355 004.

IT IS UNDERSTOOD that the temporary easement rights herein granted shall be between May 27, 2013 through November 26, 2014, or upon completion of the above-mentioned construction project, whichever is sooner.

IT IS ALSO UNDERSTOOD that the temporary easement herein granted does not convey any right or interest in the above-described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the rights herein granted.

Grantor covenants to and with Grantee, its successors and assigns, that Grantor is the owner of said property, and will warrant the easement rights herein granted from all lawful claims whatsoever.

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all reduction in value to Grantor's remaining property, if any, which may result from the acquisition or use of said property or property rights. However, the consideration does not include damages resulting from any use or activity by Grantee beyond or outside of those uses expressed herein, if any, or damages arising from any negligence.

**RETURN TO AND TAX STATEMENT TO:**  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
4040 FAIRVIEW INDUSTRIAL DRIVE SE, MS#2  
SALEM OR 97302-1142

Map and Tax Lot #: 1N 3E 25BD Tax Lot 400  
Property Address: 410 NW 257<sup>th</sup> Way  
Troutdale, OR 97060

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

Dated this 16<sup>th</sup> day of May, 2013.

APPROVED AS TO FORM:

By \_\_\_\_\_

THE CITY OF TROUTDALE, an Oregon municipal corporation

By Doug Daoust  
Mayor

STATE OF OREGON, County of Multnomah

Dated May 16, 2013. Personally appeared Doug Daoust,

who, being sworn, stated that he/she is the Mayor of The City of Troutdale, an Oregon municipal corporation, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its Resolution No. 2201

passed by the Council of said City on this 14<sup>th</sup> day of May, 2013.



Sarah Lynn Skroch  
Notary Public for Oregon  
My Commission expires August 7, 2015

**Temporary Easement For Work Area (from May 27, 2013 through November 26, 2014 or duration of Project, whichever is sooner.**

A parcel of land lying in NW¼ of Section 25, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon; said parcel being a portion of that property described in that Executor's Deed to the Town of Troutdale recorded August 3, 1970 in Book 745, Page 580 Multnomah County Record of Deeds and also a portion of that property described in that Warranty Deed to the City of Troutdale recorded November 26, 1986 in Book 1958, Page 1229 Multnomah County Record of Deeds; the said parcel being that portion of said property included in a strip of land variable in width, lying on the South side of the center line of the Columbia River Highway, which center line being is described as follows:

Beginning at Engineer's center line Station 480+00.00 east bound, said station being 146.04 feet North and 2397.07 feet West from an angular corner on the South boundary of the D. F. Buxton Donation Land Claim No. 59 Township 1 North, Range 3 East, W.M.; thence North 86°54'33" East 434.61 feet; thence on a spiral curve right (the long chord of which bears North 87°07'03" East 250.00 feet) 250 feet; thence on a 11, 459.02 foot radius curve right (the long chord of which bears South 88°01'44" East 1772.98 feet) 1774.75 feet; thence on a spiral curve right (the long chord of which bears South 83°10'31" East 250.00 feet) 250.00 feet; thence South 82°58'01" East, 1249.77 feet to Engineer's eastbound center line Station 519+59.13 Back equals 520+00.00 Ahead.

The width in feet of said strip of land is as follows:

Station	to	Station	Width on Southerly Side of Eastbound Center Line
505+48.82		505+59.25	123.00 ft. in a straight line to 223.00 ft.
505+59.25		508+91.24	223.00 ft in a straight line to 190.00 ft
508+91.24		509+50.00	190.00 ft. in a straight line to 260.00 ft.
509+50.00		510+25.00	260.00 ft. in a straight line to 126.00 ft.

Bearings are based on the Oregon Coordinate System 1983 (CORS 1996, epoch 2002), north zone.

This parcel of land contains 1.09 acres, more or less, outside the existing right of way.



RENEWS: 12/31/2013

SEC. 25, T. 1 N., R. 3 E., W.M.  
 SEE 6B-15-13 FOR PRIOR R/W

COLUMBIA RIVER HIGHWAY (I-84)

CITY OF TROUTDALE

S 82°58'01"E

Angular Corner  
 D.F. Buxton D.L.C. 59  
 S85°06'06"E 133.47'

CITY OF TROUTDALE  
 DOC. # 1958-1229  
 BOOK 745 PAGE 580  
 007  
 Temporary Easement For Work Area  
 47,536 ft<sup>2</sup>

Sandy River  
 Ordinary High Water = 23.3'  
 (9-25-2006)

**ACTIVE COPY**

THE R/W SHOWN ON THIS MAP  
 MAY LATER BE REVISED TO  
 SUPPORT PROJECT DESIGN  
 CHANGES OR OTHER NEEDS  
 RIGHT OF WAY ENGINEERING

SCALE 1" = 50'



OREGON DEPARTMENT OF TRANSPORTATION  
**RIGHT OF WAY ENGINEERING**  
 SKETCH MAP

Section	I-84; Sandy River-Jordan Rd-Bundle 210	Scale	1" = 50'
Highway	Columbia River	Date	October, 2012
County	Multnomah	File	7335007
Purpose	Temporary Easement For Work Area		