

## **RESOLUTION NO. 2049**

### **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) plans to remove the existing I-84 bridges over the Sandy River and to construct 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 not currently in use and allowing it to be used for storage of construction equipment and materials will not negatively impact future development plans for the property.

#### **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 attached temporary easement on behalf of the City of Troutdale.

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

**YEAS: 6**  
**NAYS: 0**  
**ABSTAINED: 0**

*Jim Kight*  
\_\_\_\_\_  
Jim Kight, Mayor

*May 27, 2010*  
\_\_\_\_\_  
Date

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


Adopted: May 25, 2010



# MULTNOMAH COUNTY OREGON

Division of Assessment & Taxation  
501 SE Hawthorne #158  
Portland OR 97214  
Recording Section (503) 988-3034

Multnomah County Official Records  
C Swick, Deputy Clerk 2010-073757

 \$56.00

00681367201000737570050056 06/14/2010 02:46:45 PM

1R-EASEMT Cnt=1 Stn=28 ATMWB  
\$25.00 \$11.00 \$15.00 \$5.00

**THIS PAGE IS A PART OF THE OFFICIAL DOCUMENT  
PLEASE DO NOT REMOVE**

5

20  
3/15

**TEMPORARY EASEMENT**

**CITY OF TROUTDALE, a municipal corporation, which acquired title as Town of Troutdale, a municipal corporation, Grantor, for the true and actual consideration of \$46,100.00, 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 4/1/2010, attached hereto and by this reference made a part hereof.**

IT IS UNDERSTOOD that the temporary easement rights herein granted shall terminate three (3) years from the date hereof 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.

1112267 TO  
Pacific NW Title

*After recording*

~~RETURN TO AND TAX STATEMENT TO~~  
OREGON DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY SECTION  
355 CAPITOL STREET NE, ROOM 420  
SALEM OR 97301-3871

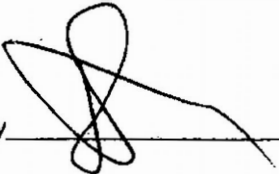
Map and Tax Lot #: 1N 3E 25BD 400  
Property Address: 104 SE Kibling  
Troutdale, OR 97060

Grantor agrees that the consideration recited herein is just compensation for the property or property rights conveyed, including any and all damages 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.

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 27<sup>th</sup> day of May, 2010.


APPROVED AS TO FORM:

By  \_\_\_\_\_

CITY OF TROUTDALE, a municipal corporation, which acquired title as Town of Troutdale, a municipal corporation

By  \_\_\_\_\_  
Mayor

Accepted on behalf of the Oregon Department of Transportation

 \_\_\_\_\_ 6/7/10

STATE OF OREGON, County of Multnomah

Dated May 27, 2010. Personally appeared Jim Kight

who, being sworn, stated that he ~~is~~ is the Mayor of the City of Troutdale, Oregon, a municipal corporation, and that this instrument was voluntarily signed on behalf of said municipal corporation by authority of its <sup>Resolution</sup> Ordinance No.

2049, passed by the Council of said City on this 25<sup>th</sup> day of May, 2010.



Sarah Skroch  
Notary Public for Oregon  
My Commission expires August 7, 2011

**Temporary Easement For Work Area (3 years 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:

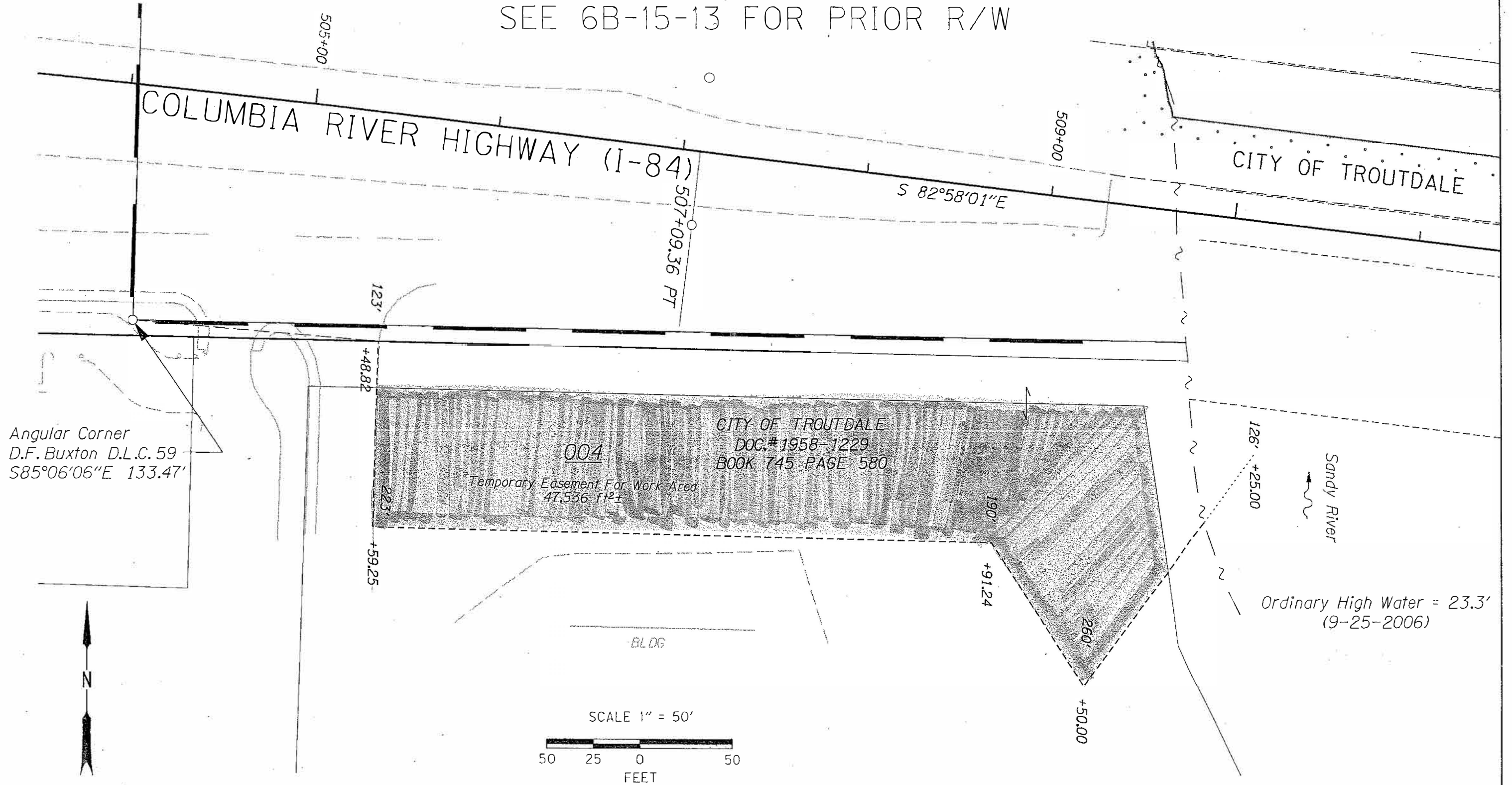
Station	to	Station	Width on Southerly Side of Eastbound Center Line
505+48.82		505+59.25	123.00 ft. in a straight line to 223.00 ft.
505+59.25		508+91.24	223.00 ft in a straight line to 190.00 ft
508+91.24		509+50.00	190.00 ft. in a straight line to 260.00 ft.
509+50.00		510+25.00	260.00 ft. in a straight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

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

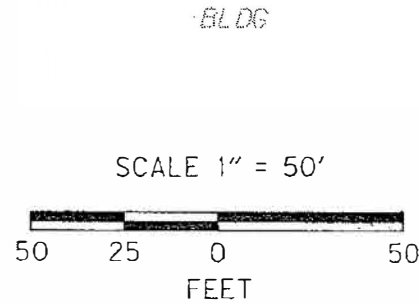
This parcel of land contains 1.09 acres, more or less, outside the existing right of way.


SEC. 25, T. 1 N., R. 3 E., W.M.

SEE 6B-15-13 FOR PRIOR R/W



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



OREGON DEPARTMENT OF TRANSPORTATION 	Section	I-84: Sandy River-Jordan Rd-Bundle 210	Scale	1" = 50'
	Highway	Columbia River	Date	September, 2009
	County	Multnomah	File	7355004
	Purpose	Temporary Easement For Work Area		



# Oregon

Theodore R. Kulongoski, Governor

June 16, 2010

# RECEIVED

Department of Transportation

Right of Way Section  
355 Capitol St NE, Room 420  
Salem, OR 97301-3871  
(503) 986-3600  
Fax: (503) 986-3625  
[www.oregon.gov/odot/hwy/row](http://www.oregon.gov/odot/hwy/row)

JUN 18 2010

City of Troutdale  
Community Development Dept.

CITY OF TROUTDALE  
ATTENTION: RICH FAITH  
104 SE KIBLING  
TROUTDALE OR 97060

ODOT File No: 7355 004  
Section: I-84: Sandy River-Jordon Rd-Bundle 210  
Highway: Columbia River Highway, Troutdale Section  
County: Multnomah

Thank you for providing the Oregon Department of Transportation with the appropriate documents for concluding our transaction.

Your Temporary Easement and any Agreements have been approved for this project.

Enclosed is a State check in the sum of \$46,100.00. This is the total consideration for the transaction.

The State is now entitled to possession of the property.

On behalf of Christine Nickerson and the Oregon Department of Transportation, we would like to thank you for your cooperation and ask that you complete and return the enclosed survey. It will let us know how we are doing and help us to do a better job in the future.

Sincerely,

Ruby Miller  
Title/Closing Specialist  
(503) 986-3645 Room #420

cc: Christine Nickerson





# CITY OF TROUTDALE

*"Gateway to the Columbia River Gorge"*

## **EXECUTIVE DEPARTMENT**

Fax: (503) 665-7265

### Administration

City Administrator  
City Recorder

### Human Resources

### Community Service

June 1, 2010

Christine Nickerson  
Oregon Bridge Delivery Partners  
1165 Union Street NE Ste. 200  
Salem, OR 97301

Dear Christine,

Enclosed is the executed Temporary Easement to allow construction staging for the I-84 Sandy River Bridge Replacement Project on city owned property. Also included is the completed W-9 form.


After the easement has been recorded, please send a copy to me at: 104 SE Kibling Avenue, Troutdale, OR 97060.

Thank you,

A handwritten signature in cursive script that reads "Debbie Stickney".

Debbie Stickney  
City Recorder

Visit us on the Web:  
[www.troutdale.info](http://www.troutdale.info)

 Printed on Recycled Paper

104 SE Kibling Avenue • Troutdale, Oregon 97060-2099 • (503) 665-5175  
Fax (503) 667-6403 • TDD/TEX Telephone Only (503) 666-7470

**Please See File # 10-16-10-1 for the Temporary Easement File with ODOT for the I-84 Sandy River Bridge Replacement. The file includes:**

- **Recorded Temporary Easement (copy)**
- **Preliminary Title Report**
- **Appraisal Report**