

RESOLUTION 21-94

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VERNONIA, OREGON  
AUTHORIZING EXECUTION OF AN AGREEMENT TO CONSTRUCT A DECK AND  
STAIRWAY ON A PUBLIC RIGHT-OF-WAY.

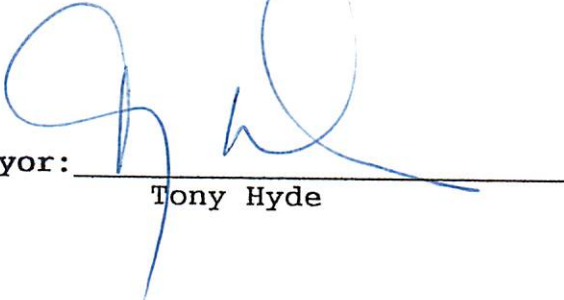
BE IT RESOLVED by the Common Council of the City of  
Vernonia, Oregon as follows:

SECTION 1. The Mayor is authorized to execute the agreement  
between the City of Vernonia and Craig S. Staggenborg and Treasa  
Staggenborg, husband and wife, a copy of which is attached to  
this resolution.

ADOPTED by the City Council of the City of Vernonia,  
Columbia County this 7<sup>th</sup> day of November, 1994.

Approved by the Mayor this 7<sup>th</sup> day of November, 1994.

Ayes: 2                      Nays: 0                      Absent: 2

Mayor:   
Tony Hyde

Attest:

  
\_\_\_\_\_  
Jana Borst, City Recorder

AGREEMENT

THIS AGREEMENT dated this 7<sup>th</sup> day of November, 1994, entered into between THE CITY OF VERNONIA, Columbia County, Oregon (City) and CRAIG S. STAGGENBORG AND TREASA STAGGENBORG, husband and wife (Staggenborgs).

The parties agree to the following recitals:

1. According to the plat of Vernonia, the north end of Madison Avenue extends 10 feet beyond the intersection of Madison Avenue and Shady Lane.
2. So far as pertinent to this agreement, Staggenborgs own tax lots 4404-023-03300 and 4404-023-03400.
3. The Staggenborgs desire to erect a deck and stairs to facilitate access to the hotel that they are remodeling. A portion of the deck and stairs would be located on the 10 foot by 17 foot public right-of-way shown on the accompanying map.
4. This portion of the right-of-way does not provide access to other property and will not provide, in the foreseeable future, necessary access to be used by the public, other than visitors to the hotel.

The parties agree:

1. City, by resolution of its council, agrees that the Staggenborgs may erect a deck and stairs on the 10 foot by 17 foot portion of the public right-of-way mentioned above. The deck and stairs will conform to all applicable building codes.
2. Staggenborgs shall assume all liability for the deck and stairs. The Staggenborgs shall be responsible for all maintenance and upkeep of the deck and stairs.
3. Staggenborgs agree that the deck and stairs will be removed within 30 days of the receipt of written notice from the City's council requesting the deck and stairs be removed because there is a need for the use of the right-of-way by the general public.
4. It is intended by the parties that this agreement shall run with the land and shall be binding upon Staggenborgs, their devisees, personal representatives, successors and assigns.

CITY OF VERNONIA

By: [Signature]  
Tony Hyde, Mayor

[Signature]  
Craig S. Staggenborg

[Signature]  
Treaasa Staggenborg

STATE OF OREGON )  
Columbia County ) ss.

On this 7<sup>th</sup> day of November 1994, personally appeared TONY HYDE, who, being duly sworn, did say that he, the said Mayor, is the Mayor of the City of Vernonia, a municipal corporation and political subdivision of the State of Oregon, and that the seal affixed to the foregoing instrument is the corporate seal of said municipal corporation, and that said instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council; and said person acknowledged said instrument to be its voluntary act and deed.

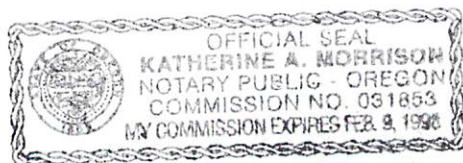
[Signature]  
Notary Public of Oregon  
My Commission Expires: 02-09-98



STATE OF OREGON )  
Columbia County ) ss.

On this 7<sup>th</sup> day of November 1994, personally appeared the above-named CRAIG S. STAGGENBORG and TREASA STAGGENBORG, husband and wife, and acknowledged the foregoing instrument to be their voluntary act.

[Signature]  
Notary Public of Oregon  
My Commission Expires: 02-09-98



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