



RESOLUTION 2007-069

A RESOLUTION INITIATING VACATION PROCEEDINGS FOR 1) AN EXISTING PUBLIC UTILITY EASEMENT ESTABLISHED WITH THE WYNDHAM RIDGE SUBDIVISION; AND 2) A SLOPE EASEMENT ESTABLISHED WITH THE WYNDHAM RIDGE SUBDIVISION; AND DIRECTING STAFF TO BEGIN THE STATUTORY VACATION PROCESS AND TO ESTABLISH A NEW 8-FOOT PUBLIC UTILITY EASEMENT.

WHEREAS, the developer of the Wyndham Ridge Subdivision dedicated to the City a public utility easement ("PUE") and slope easement, generally south of Handley Street and abutting SW Pacific Highway; and

WHEREAS, the City staff has made an initial determination that the existing PUE and Slope Easement are greater in area than needed to accommodate existing and planned utilities or are no longer necessary; and

WHEREAS, the City wishes to establish a PUE that meets code requirements; and

WHEREAS, there are no present project costs estimated for this project since the project comprises the vacation of an outdated PUE and Slope Easement and the subsequent and corresponding establishment of a PUE that meets the standard 8-foot requirement.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1. The Council hereby initiates vacation proceedings as authorized by ORS 271.130 for the identified PUE described in Exhibits E and F; and further hereby initiates vacation of the Slope Easement described in Exhibits G and H.

Section 2. The Council hereby directs staff to schedule a public hearing for the Council to consider the proposed easement vacations, to draft an Ordinance vacating the described easements for Council consideration following the public hearing, and to provide notice of the public hearing as required by ORS 271.110.

Section 3. In the event the Council determines the easements described herein should be vacated following its public hearing, such vacation will be conditioned upon a dedication to the City of an 8-foot PUE abutting the south edge of Handley Street and

Cedar Brook Way as described in Exhibits I and J. Staff is hereby directed to take any steps necessary to assure that the new easement can be in place concurrent with the vacation of the PUE and slope easement shown on Exhibits E, F, G and H.

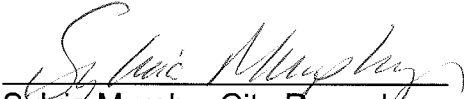
Section 4. This Resolution is and shall be effective upon its adoption by Council.

Duly passed by the City Council this 7th day of August, 2007.



Keith S. Mays, Mayor

ATTEST:



Sylvia Murphy, City Recorder

Exhibits A through D are not part of this resolution
Exhibits E and F – Vacation of Public Utility Easement
Exhibits G and H – Vacation of Slope Easement
Exhibits I and J – Public Utility Easement
Exhibit K – Existing Utilities

EXHIBIT E
VACATION OF PUBLIC UTILITY EASEMENT

A portion of the public utility easement granted on Lot 13 of Wyndham Ridge (Book 100, Page 28, Washington County Deed Records), located in the Southwest One-Quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the South Quarter Corner of Section 30, Township 2 South, Range 1 West, Willamette Meridian, on the old centerline of SW Pacific Highway (99W); thence North $01^{\circ}36'52''$ East 154.98 feet to a point; thence North $88^{\circ}11'05''$ West 42.53 feet to a point on the Northwesterly right-of-way line of SW Pacific Highway (99W); thence along said right-of-way line along a non-tangential curve to the right having a Radius of 14273.94 feet, Length of 175.24 feet, and Chord of South $48^{\circ}05'40''$ West 175.24 feet to a point, also being the True Point of Beginning; thence along said right-of-way line along a non-tangential curve to the right having a Radius of 14273.94 feet, Length of 5.61 feet, and Chord of South $48^{\circ}27'27''$ West 5.61 feet to a point; thence leaving said right-of-way line North $88^{\circ}10'19''$ West 0.88 feet to a point; thence North $45^{\circ}05'13''$ West 58.48 feet to a point; thence along a tangential curve to the left having a Radius of 162.00 feet, Length of 126.62 feet, and Chord of North $65^{\circ}47'36''$ West 123.42 feet to a point; thence North $88^{\circ}11'05''$ West 123.32 feet to a point; thence North $09^{\circ}40'42''$ East 8.08 feet to a point; thence South $88^{\circ}11'05''$ East 122.16 feet to a point; thence along a tangential curve to the right having a Radius of 170.00 feet, Length of 132.90 feet, and Chord of South $65^{\circ}47'17''$ East 129.55 feet to a point; thence South $43^{\circ}23'29''$ East 59.27 feet to the True Point of Beginning.

The above described tract of land contains 2,437 square feet, more or less. The Basis of Bearings is per Survey Number 29571, Washington County Survey Records.

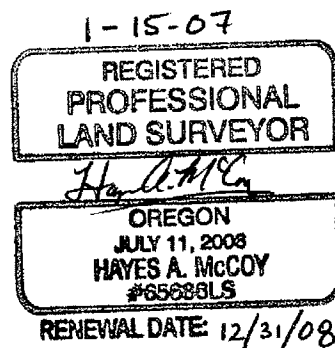
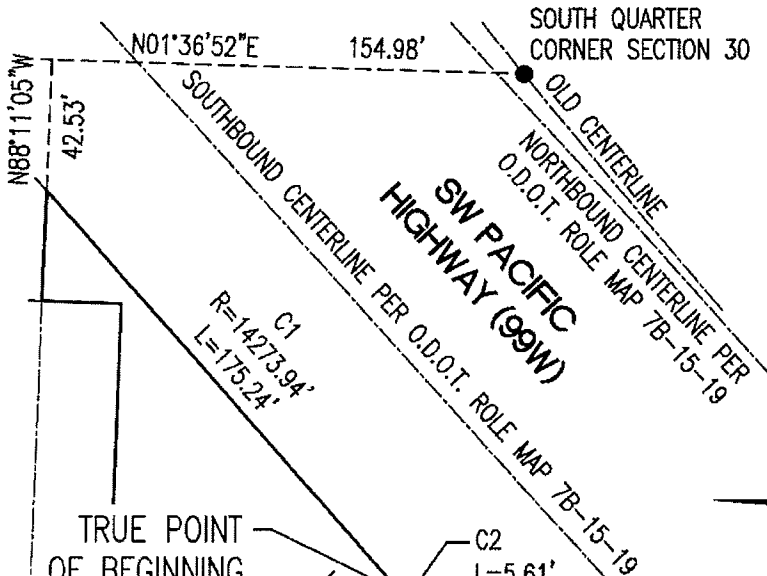


EXHIBIT F

VACATION OF PORTION OF PUBLIC UTILITY EASEMENT LOCATED IN THE SW 1/4 OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON



SCALE 1" = 60 FEET



CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	14273.94'	0°42'12"	175.24'	S48°05'40"W 175.24'
C2	14273.94'	0°01'21"	5.61'	S48°27'27"W 5.61'
C3	162.00'	44°46'58"	126.62'	N65°47'36"W 123.42'
C4	170.00'	44°47'36"	132.90'	S65°47'17"E 129.55'

SW HANDLEY STREET

LOT 13

TOTAL AREA = 2,437
SQUARE FEET
MORE OR LESS

PORTION OF THE
PUBLIC UTILITY
EASEMENT GRANTED ON
LOT 13 OF "WYNDHAM
RIDGE" (BOOK 100,
PAGE 28)

1-15-07

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Hayes A. McCoy

OREGON
JULY 11, 2008
HAYES A. MCCOY
65686LS

RENEWAL DATE: 12/31/08

JOB NAME:	CEDAR BROOK
JOB NUMBER:	1213
DRAWING NUMBER:	1213EXF
DRAWN BY:	WCB
CHECKED BY:	HAM

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FAX: (503) 925-8969

E-MAIL: aks@aks-eng.com

SW CEDAR
BROOK WAY

EXHIBIT G
VACATION OF SLOPE EASEMENT

A portion of the slope easement granted to the City of Sherwood on Lot 13 of "Wyndham Ridge" (Book 100, Page 28, Washington County Deed Records), located in the Southwest One-Quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the South Quarter Corner of Section 30, Township 2 South, Range 1 West, Willamette Meridian, on the old centerline of SW Pacific Highway (99W); thence North 01°36'52" East 154.98 feet to a point; thence North 88°11'05" West 42.53 feet to a point on the Northwesterly right-of-way line of SW Pacific Highway (99W); thence along said right-of-way line along a non-tangential curve to the right having a Radius of 14273.94 feet, Length of 175.24 feet, and Chord of South 48°05'40" West 175.24 feet to the True Point of Beginning; thence along said right-of-way line along a non-tangential curve to the right having a Radius of 14273.94 feet, Length of 5.61 feet, and Chord of South 48°27'27" West 5.61 feet to a point; thence leaving said right-of-way line North 88°10'19" West 3.81 feet to a point; thence North 45°05'13" West 56.37 feet to a point; thence along a tangential curve to the left having a Radius of 160.00 feet, Length of 125.09 feet, and Chord of North 65°47'17" West 121.93 feet to a point; thence North 88°11'05" West 123.60 feet to a point; thence North 09°40'42" East 10.10 feet to a point; thence South 88°11'05" East 122.15 feet to a point; thence along a tangential curve to the right having a Radius of 170.00 feet, Length of 132.90 feet, and Chord of South 65°47'17" East 129.55 feet to a point; thence South 43°23'29" East 59.27 feet to the True Point of Beginning.

The above described vacated easement contains 3,050 square feet, more or less. The Basis of Bearings is per Survey Number 29571, Washington County Survey Records.

1-15-07

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Hayes A. McCoy

OREGON
JULY 11, 2006
HAYES A. MCCOY
#65686LS

RENEWAL DATE: 12/31/08

EXHIBIT H

Resolution 2007-069, Exhibits E-K, (7pgs)
August 7, 2007

VACATION OF PORTION OF SLOPE EASEMENT
LOCATED IN THE SW 1/4 OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE
1 WEST, W.M., CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON

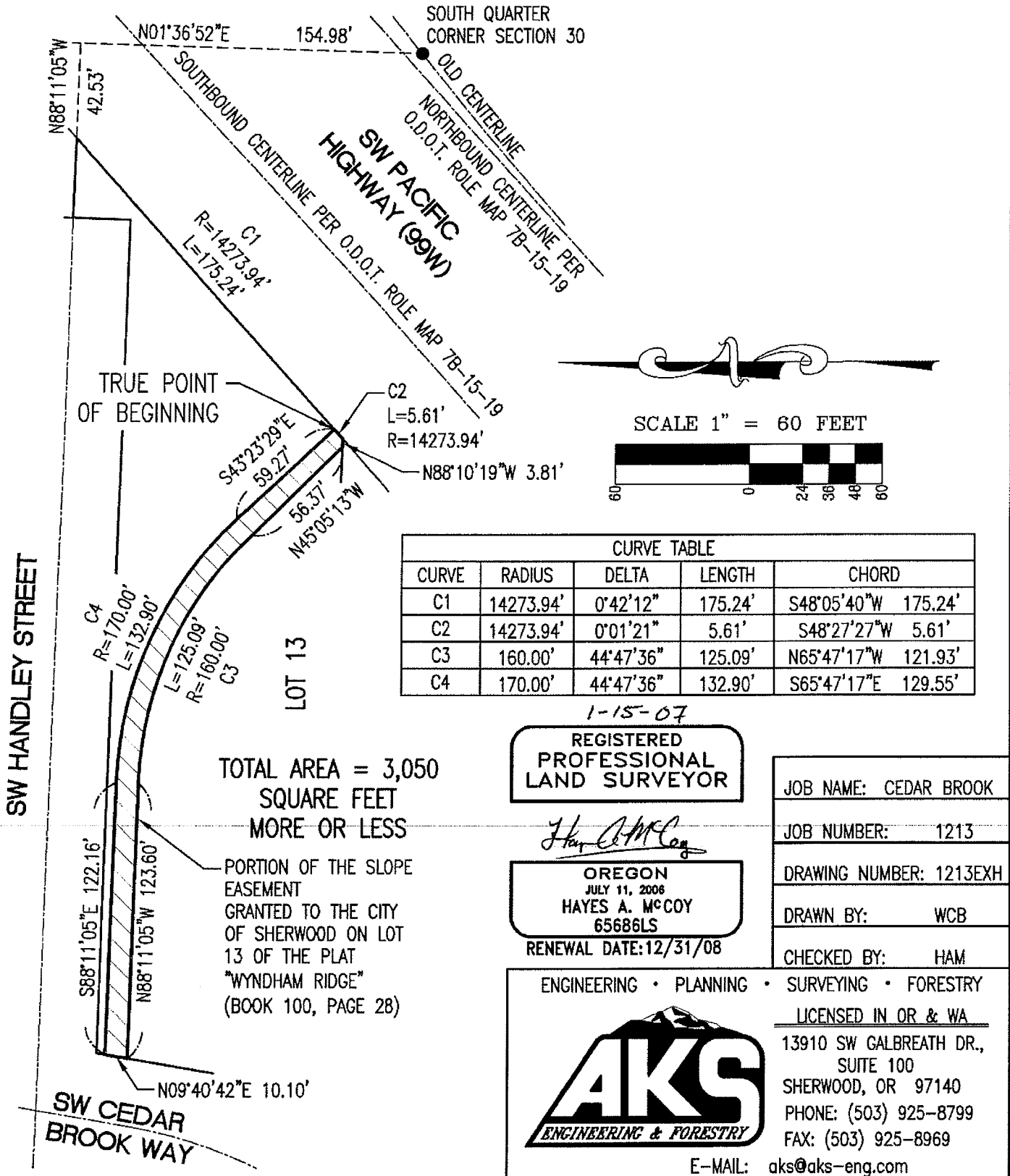


EXHIBIT I
PUBLIC UTILITY EASEMENT

Located in the Southwest One-Quarter of Section 30, Township 2 South, Range 1 West, Willamette Meridian, City of Sherwood, Washington County, Oregon and being more particularly described as follows:

Beginning at the South Quarter Corner of Section 30, Township 2 South, Range 1 West, Willamette Meridian, on the old centerline of SW Pacific Highway (99W); thence North $01^{\circ}36'52''$ East 124.98 feet to a point; thence North $88^{\circ}11'05''$ West 109.19 feet to a point; thence South $01^{\circ}48'55''$ West 32.50' to a point on the Southerly right-of-way line of SW Handley Street; thence along said Southerly right-of-way line, North $88^{\circ}11'05''$ West 374.36 feet to a point at the intersection of the SW Handley Street and SW Cedar Brook Way right-of-way lines; thence leaving said Southerly right-of-way line, South $09^{\circ}44'33''$ West 4.04 feet to the TRUE POINT OF BEGINNING; thence along a line parallel to and 4 feet Southerly of the Southerly right-of-way line of SW Handley Street, South $88^{\circ}11'05''$ East 122.15 feet to a point; thence leaving said parallel line, along a tangential curve to the right having a Radius of 170.00 feet, Length of 36.95 feet, Delta of $12^{\circ}27'13''$ and Chord of South $81^{\circ}57'28''$ East 36.88 feet to a point; thence along a line parallel to and 8 feet Southerly of the Southerly right-of-way line of SW Handley Street, North $88^{\circ}11'05''$ West 151.29 feet to a point; thence along a line parallel to and 8 feet Easterly of the Easterly right-of-way line of SW Cedar Brook Way South $09^{\circ}44'33''$ West 91.79 feet to a point on the Southerly line of the property described in Document Number 2002-062303, Washington County Deed Records; thence North $88^{\circ}10'19''$ West 8.08 feet to a point at the intersection of said Southerly line and the Easterly right-of-way line of SW Cedar Brook Way; thence along said Easterly right-of-way line, North $09^{\circ}44'33''$ East 95.82 feet to the TRUE POINT OF BEGINNING.

The above described easement contains 1,297 square feet, more or less. The Basis of Bearings is per Survey Number 29571, Washington County Survey Records.

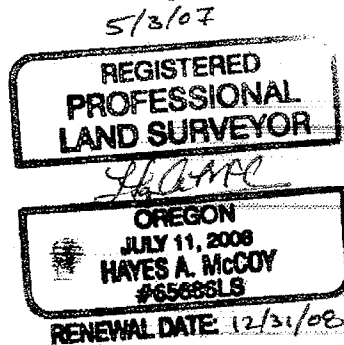
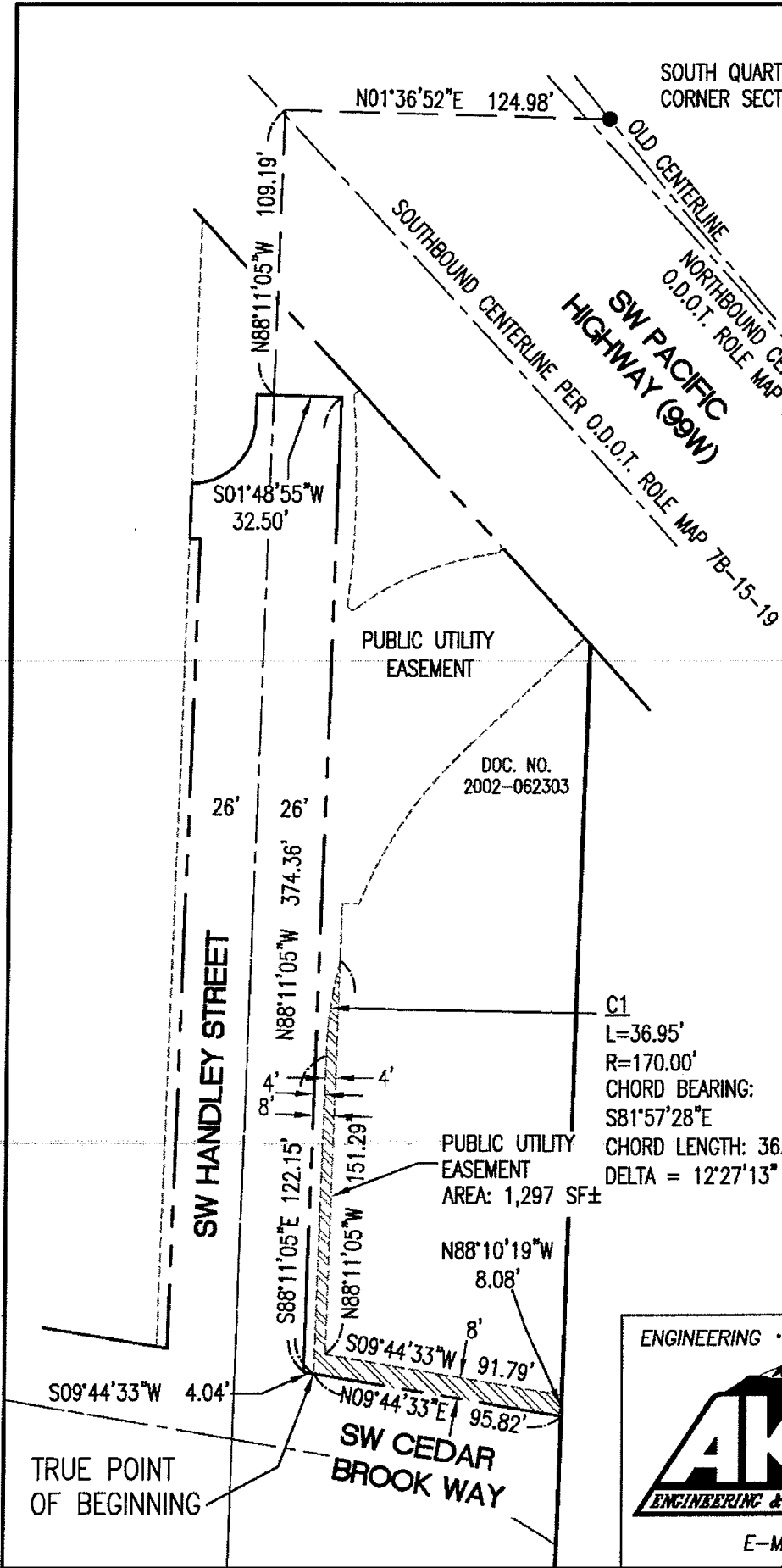


EXHIBIT J PUBLIC UTILITY EASEMENT

LOCATED IN THE SW 1/4
OF SECTION 30, TOWNSHIP
2 SOUTH, RANGE 1 WEST,
W.M., CITY OF SHERWOOD,
WASHINGTON COUNTY,
OREGON.

SCALE 1" = 60'



DOC. NO.
2002-062303

C1
 L=36.95'
 R=170.00'
 CHORD BEARING:
 S81°57'28"E
 CHORD LENGTH: 36.88'
 DELTA = 12°27'13"

5/3/07

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JULY 11, 2008
 HAYES A. MCCOY
 #63666LS

RENEWAL DATE: 12/31/08

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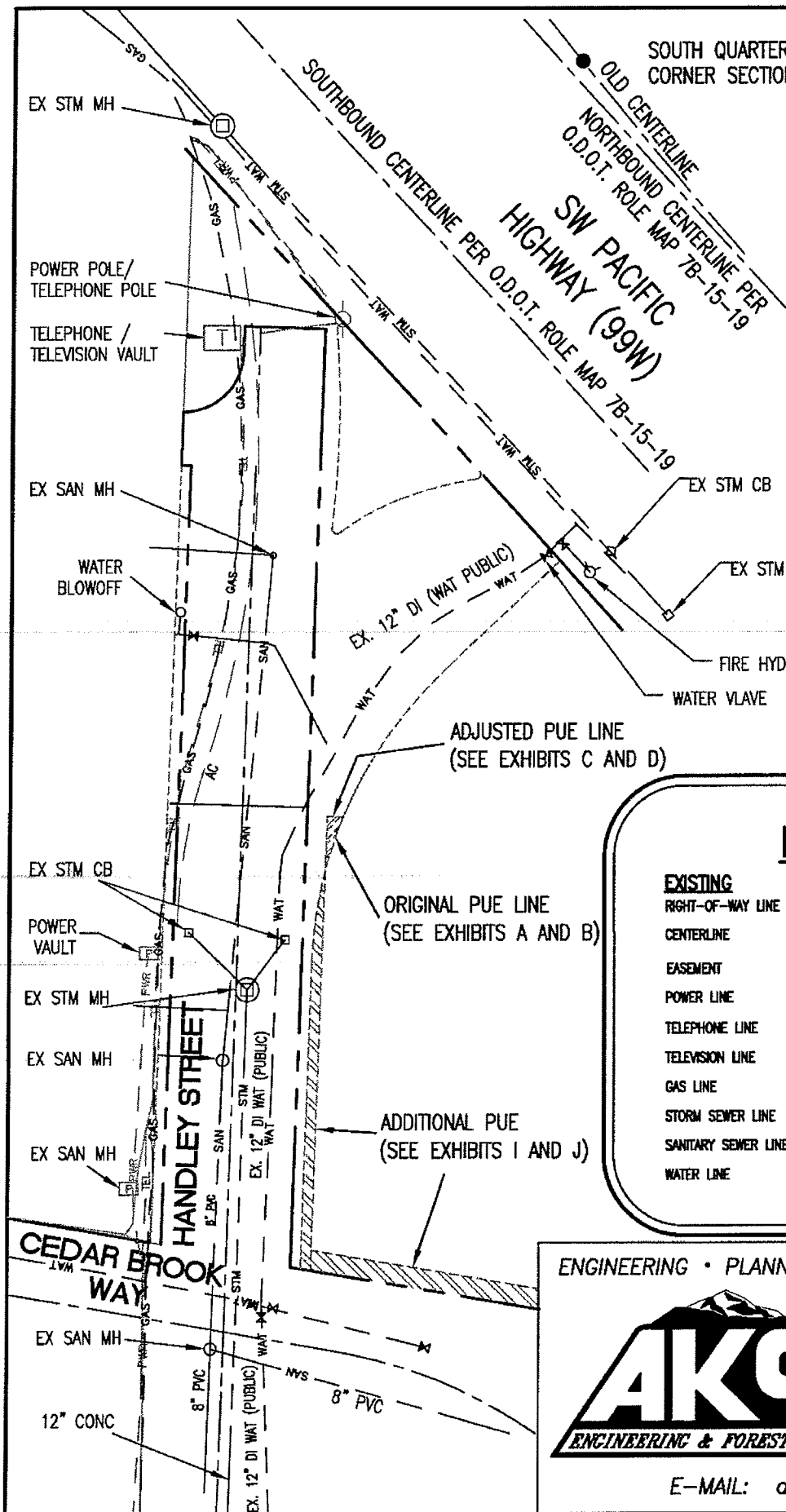
E-MAIL: aks@aks-eng.com

SOUTH QUARTER
CORNER SECTION 30

EXHIBIT K EXISTING UTILITIES

LOCATED IN THE SW 1/4
OF SECTION 30, TOWNSHIP
2 SOUTH, RANGE 1 WEST,
W.M., CITY OF SHERWOOD,
WASHINGTON COUNTY,
OREGON.

SCALE 1" = 60'



LEGEND

EXISTING

RIGHT-OF-WAY LINE	-----
CENTERLINE	-----
EASEMENT	-----
POWER LINE	----- PWR -----
TELEPHONE LINE	----- TEL -----
TELEVISION LINE	----- TEL -----
GAS LINE	----- GAS -----
STORM SEWER LINE	----- STM -----
SANITARY SEWER LINE	----- SAN -----
WATER LINE	----- WAT -----

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