



ORDINANCE 2014-016

APPROVING THE RELINQUISHMENT OF AN EXISTING EASEMENT FOR SLOPES, WATER, GAS, ELECTRIC, AND COMMUNICATION SERVICE LINES, FIXTURES AND FACILITIES

WHEREAS, the City of Sherwood will relinquish its rights to an existing variable width easement for slopes, water, gas, electric, and communication service lines, fixtures and facilities which was recorded as part of the SW Meinecke Parkway/Highway 99 improvements (Document No. 2002-21557, Washington County Records); and

WHEREAS, the document relinquishing the City of Sherwood's right to the existing easement will be recorded with Washington County; and

WHEREAS, the rights to the relinquished easement will go back to the Oregon Department of Transportation; and

WHEREAS, a new 8-foot wide Public Utility Easement (PUE) will be dedicated to the City of Sherwood along the subject property frontage adjacent to and north of the northern right-of-way of SW Meinecke Parkway and recorded with Washington County concurrently with the document relinquishing the existing easement; and

WHEREAS, relinquishing the existing easement and replacing it with a new 8-foot wide PUE will not be detrimental to the purpose of the easement and will minimize impact to the development of the subject property; and

WHEREAS, the City's Public Works and Engineering Departments have reviewed and agreed with the Developer's request for relinquishment of the easement area as shown on the attached Exhibit "A" for replacement with an 8-foot wide Public Utility Easement shown and described in Exhibit "B" (survey map) and Exhibit "C" (legal description); and

WHEREAS, the City has posted notices of the vacation request at two locations on the subject property, and published notice in The Times (July 31 and August 7, 2014 Editions) all in accordance with ORS 271.110 et seq.; and

WHEREAS, the Sherwood City Council may initiate relinquishment of the easement on its own motion, as delineated in ORS 271.130, with notice to abutting property owners; and

WHEREAS, the only property affected by this action is owned by the Developer; and

WHEREAS, the Sherwood City Council has received a staff report with findings and found the relinquishment of the existing easement and dedication of a new 8-foot wide PUE to be in the public interest; and

WHEREAS, the relinquishment of the existing easement will not impact any other adjacent property values.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1: The relinquishment of the existing variable width easement for slopes, water, gas, electric, and communication service lines, fixtures and facilities was recorded as part of the SW Meinecke Parkway/Highway 99 improvements (Document No. 2002-21557, Washington County Records), which will be replaced with a new 8-foot wide Public Utility Easement is in the public's interest.

Section 2: After full and due consideration of the easement relinquishment request and City Staff Report, City Council relinquishes the existing easement as shown on Exhibit A (easement sketch), contingent upon concurrent recording of a new 8-foot wide Public Utility Easement as shown and described on the attached Exhibit B (survey map) and Exhibit C (legal description).

Section 3: The City Manager or their authorized personnel, is hereby authorized and directed to take such action as may be necessary to document this easement relinquishment and establishment of a new Public Utility Easement, including recordation of a certified copy of this ordinance, and filing of a certified copy of this ordinance with the County Assessor and County Surveyor, in accordance with Washington County ordinances and regulations.

Section 4: This Ordinance shall take effect 30 days after its approval and adoption.

Duly passed by the City Council this 19th day of August 2014.



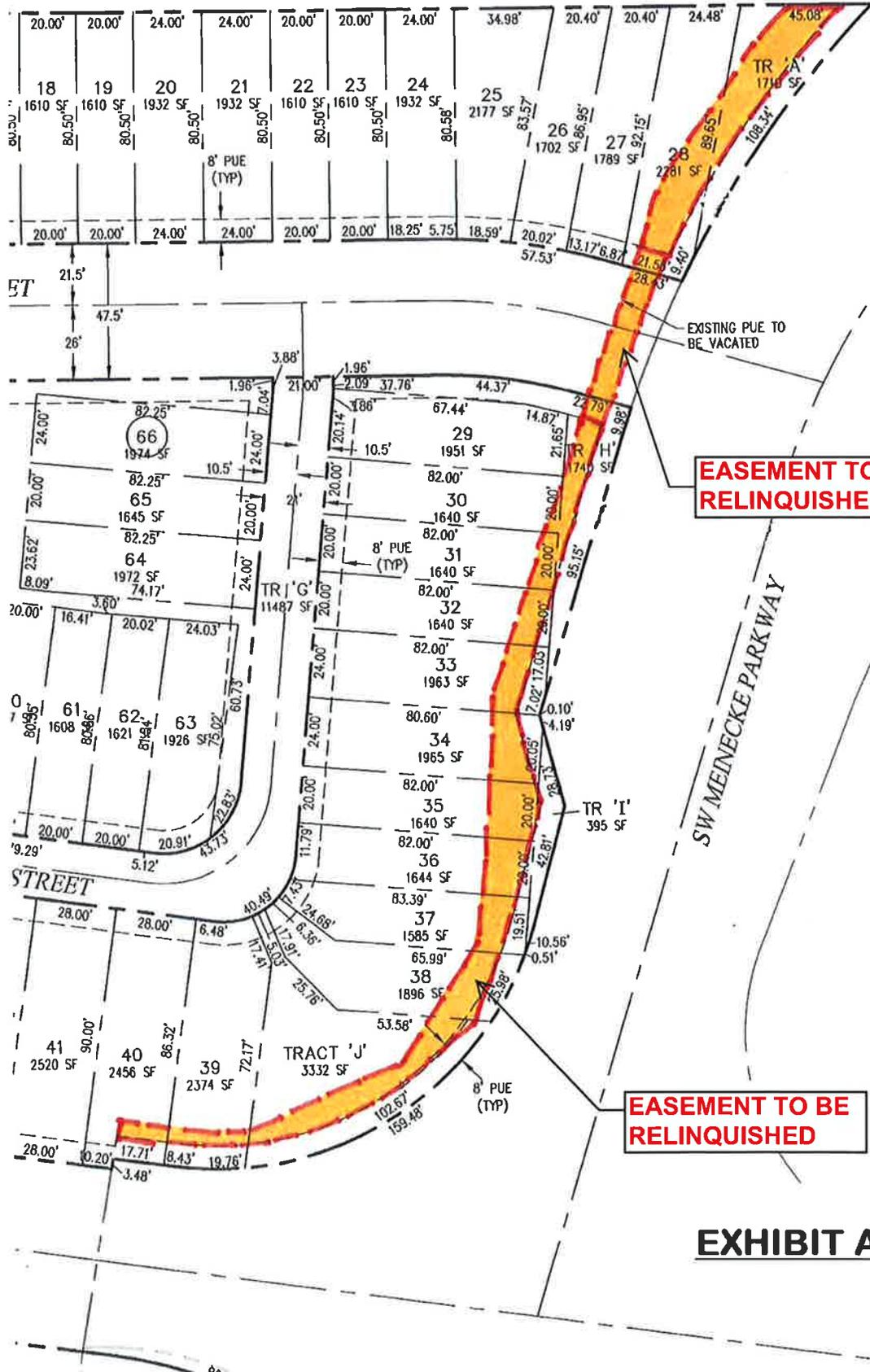
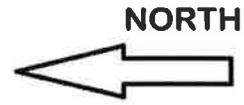
Bill Middleton, Mayor

Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Langer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Butterfield	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Folsom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Middleton	<input checked="" type="checkbox"/>	<input type="checkbox"/>



EASEMENT TO BE RELINQUISHED

EASEMENT TO BE RELINQUISHED

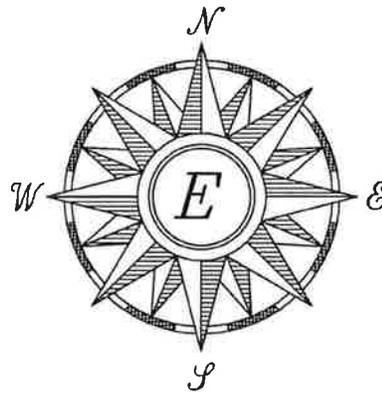
EXHIBIT A

SW BROOK WAY

REGISTERED
PROFESSIONAL
LAND SURVEYOR

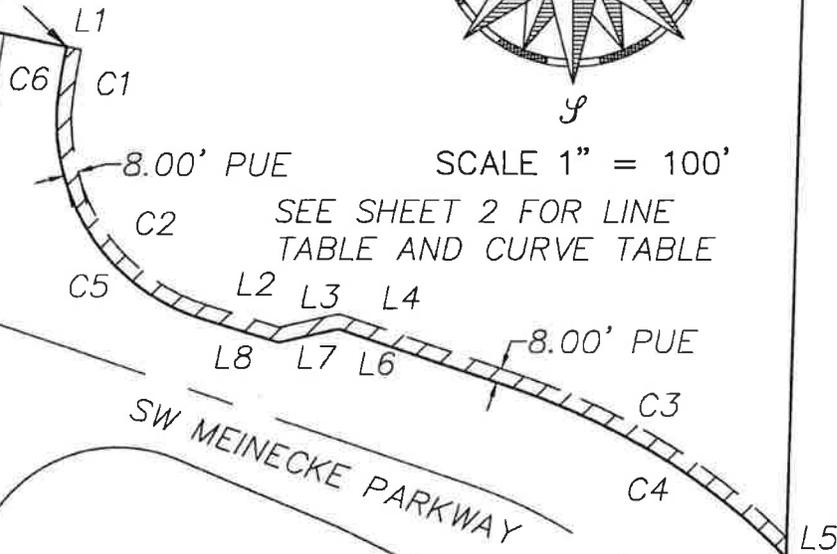
OREGON
JANUARY 19, 1993
EDWARD KING PHELPS
2586

EXPIRES 12-31-14



PARCEL 1
PARTITION PLAT
NO. 2007-029

POINT OF
BEGINNING



SCALE 1" = 100'

SEE SHEET 2 FOR LINE
TABLE AND CURVE TABLE

SW CEDAR
BROOK WAY

SW MEINECKE PARKWAY

PARCEL 2
PARTITION PLAT
NO. 2007-029

EMERIO
Design

**PUBLIC UTILITY EASEMENT
CEDAR BROOK**

PROJECT NO. 150-005
DATE: 6-4-2014
BY: EKP
SCALE: 1"=100'
SHEET NO. 1 OF 2

6107 SW MURRAY BLVD, SUITE 147
BEAVERTON, OREGON 97008
PH: (503) 515-5528
Ordinance 2014-016, Exhibits B & C
August 19, 2014, Page 1 of 3

D R HORTON
SHERWOOD, OR

EXHIBIT "B"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S78°30'47"E	8.00'
L2	S72°52'06"E	40.66'
L3	N77°07'46"E	33.15'
L4	S71°13'15"E	104.44'
L5	S01°37'55"W	11.03'
L6	N71°13'15"W	102.17'
L7	S77°07'46"W	33.03'
L8	N72°52'06"W	42.81'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHD BEARING	CHD DISTANCE
C1	4°05'34"	357.88'	25.56'	S09°26'25"W	25.56'
C2	80°15'47"	105.85'	148.28'	S32°44'15"E	136.45'
C3	25°46'52"	381.39'	171.61'	S58°19'49"E	170.17'
C4	26°56'02"	373.39'	175.53'	N57°45'14"W	173.91'
C5	80°15'40"	113.85'	159.48'	N32°44'13"W	146.76'
C6	04°05'34"	365.88'	26.14'	N09°26'25"E	26.13'



PUBLIC UTILITY EASEMENT CEDAR BROOK

D R HORTON
SHERWOOD, OR

PROJECT NO. 150-005
DATE: 6-4-2014
BY: EKP
SCALE: 1"=100'
SHEET NO. 2 OF 2

JOB: 150-005 June 4, 2014

PUBLIC UTILITY EASEMENT

An 8.00 foot wide public utility easement over and across a portion of Parcel 1 of Partition Plat No. 2007-029, Washington County Plat Records, situated in the Southeast ¼ of the Southwest ¼ of Section 30, Township 2 South, Range 1 West, W.M., City of Sherwood, Washington County, Oregon, being more particularly described as follows:

Beginning at a point on the southerly line of said Parcel 1, being the most northerly point of the easterly right of way line of S.W. Cedar Brook Way; thence leaving said right of way, S78°30'47"E, 8.00 feet; thence 8.00 feet from and parallel with said southerly line of said Parcel 1 the following courses: along the arc of a 357.88 foot radius curve, concave to the east, through a central angle of 4°05'34", an arc length of 25.56 feet (chord bears S09°26'25"W, 25.56 feet) to a point of compound curvature; thence along the arc of a 105.85 foot radius curve (concave to the northeast) through a central angle of 80°15'47", an arc length of 148.28' (chord bears S32°44'15"E, 136.45 feet); thence S72°52'06"E, 40.66 feet; thence N77°07'46"E, 33.15 feet; thence S71°13'15"E, 104.44 feet to a point of curvature; thence along the arc of a 381.39 foot radius curve, concave to the southwest, through a central angle of 25°46'52", an arc length of 171.61 feet (chord bears S58°19'49"E, 170.17 feet) to the easterly line of said Parcel 1; thence along said easterly line, S01°37'55"W, 11.03 feet to the southerly line of said Parcel 1; thence along said southerly line of said Parcel 1 the following courses: along the arc of a 373.39 foot radius curve, concave to the southwest, through a central angle of 26°56'02", an arc length of 175.53 feet (chord bears N57°45'14"W, 173.91 feet); thence N71°13'15"W, 102.17 feet; thence S77°07'46"W, 33.03 feet; thence N72°52'06"W, 42.81 feet to a point of curvature; thence along the arc of a 113.85 foot radius curve, concave to the northeast, through a central angle of 80°15'40", an arc length of 159.48 feet (chord bears N32°44'13"W, 146.76 feet) to a point of compound curvature; thence along the arc of a 365.88 foot radius curve, concave to the east, through a central angle of 04°05'34", an arc length of 26.14 feet (chord bears N09°26'25"E, 26.13 feet) to the Point of Beginning.

Containing 4251 square feet, more or less.



Basis of bearings and boundary resolution per Partition Plat No. 2007-029