

RESOLUTION NO. 1304

A RESOLUTION ACCEPTING LAND DEDICATION AND PIPELINE EASEMENT FOR LID NO. 12, AN INUNDATION EASEMENT FOR THE BOECKMAN CREEK DETENTION PROJECT, AND AUTHORIZING PAYMENT, GRANTOR: MADRID.

WHEREAS, Resolution No. 1275, a Resolution authorizing the City of Wilsonville to negotiate and acquire land for the construction of the public improvements associated with Local Improvement District No. 12, Canyon Creek Road North, authorized the acquisition of certain property and property interests; and

WHEREAS, Resolution No. 1256, a Resolution authorizing the City of Wilsonville to negotiate and acquire land for the construction of the Boeckman Creek Detention Structure, authorized the acquisition of certain inundation easements.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

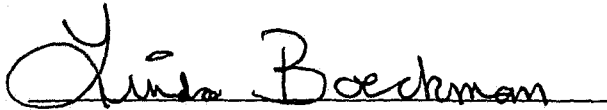
1. The inundation easement, a copy of which is marked Exhibit A, attached hereto and incorporated herein, is hereby accepted by the City of Wilsonville.
2. The land dedication, a copy of which is marked Exhibit B, attached hereto and incorporated herein, is accepted by the City of Wilsonville.
3. The pipeline easement, a copy of which is marked Exhibit C, attached hereto and incorporated herein, is accepted by the City of Wilsonville.
4. The City of Wilsonville authorizes payment of the consideration and performance of the conditions and covenants recited therein Exhibits A, B & C.

ADOPTED by the City Council of the City of Wilsonville at a special meeting thereof this 7th day of August, 1996, and filed with the Wilsonville City Recorder this date.



GERALD A KRUMMEL, Mayor

ATTEST:



LINDA BOECKMAN, Deputy City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>Yes</u>
Councilor Lehan	<u>Yes</u>
Councilor Leahy	<u>Yes</u>
Councilor Hawkins	<u>Yes</u>
Councilor MacDonald	<u>Yes</u>

INUNDATION EASEMENT
Boeckman Creek Detention Structure

KNOW ALL MEN BY THESE PRESENTS, that Inez C. Madrid, "Grantor", for the consideration hereinafter stated, does forever grant unto the CITY OF WILSONVILLE, a municipal corporation, "Grantee", a permanent easement over, along, and adjacent to Boeckman Creek, including any riparian lands or lands that may become riparian due to natural or man-made events, described as follows, to-wit:

1. Legal description is set forth in EXHIBIT "A" attached hereto, and incorporated by reference herein.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$7,905.00.

In order to accommodate any natural flowage caused by storm water, the boundaries of the easement are not limited to the existing high water mark and shall not be restricted.

In the event the easement shall no longer serve a public purpose, it shall revert back to the Grantor, her heirs, successors, and/or assigns.

TO HAVE AND TO HOLD the above described easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The purpose of this easement is to accommodate the flow of water that may result from the construction and operation of the Boeckman Creek Detention Structure, built by Grantee to control the natural water run-off or storm drainage.
2. The Grantee, through its officers, employees, and agents, shall have the right to enter upon said lands in such a manner and from such places as may be under Grantor's control and at such times from this date as may be reasonably necessary for the purpose of patrolling, inspecting and maintaining from obstruction the flow of water from the Boeckman Creek Detention Structure for storm drainage purposes. Said right shall be perpetual as long as Grantee shall operate or maintain the Boeckman Creek Detention Structure for storm drainage purposes.
3. Grantee will make no unreasonable interference with the use of the surface of said land by Grantor (and heirs) and/or assigns.
4. In accepting this grant of flow easement, Grantee disclaims any present or future intent to possess, occupy, or acquire prescriptive rights to land by flooding. The easement herein conveyed by Grantor is the right to inundate riparian and adjacent land, and no transfer of any other title, fee or interest is granted herein except an easement of necessity for such flowage purposes.
5. Grantee disclaims any intent to create a wetland, and will specifically forbear from making any claim that additional wetlands have been created by the use of the easement granted herein.

After recording, return to:
CITY RECORDER
CITY OF WILSONVILLE
30000 SW Town Center Loop, E.
WILSONVILLE OR 97070

INUNDATION EASEMENT
Boeckman Creek Detention Structure

KNOW ALL MEN BY THESE PRESENTS, that Inez C. Madrid, "Grantor", for the consideration hereinafter stated, does forever grant unto the CITY OF WILSONVILLE, a municipal corporation, "Grantee", a permanent easement over, along, and adjacent to Boeckman Creek, including any riparian lands or lands that may become riparian due to natural or man-made events, described as follows, to-wit:

1. Legal description is set forth in EXHIBIT "A" attached hereto, and incorporated by reference herein.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$7,905.00.

In order to accommodate any natural flowage caused by storm water, the boundaries of the easement are not limited to the existing high water mark and shall not be restricted.

In the event the easement shall no longer serve a public purpose, it shall revert back to the Grantor, her heirs, successors, and/or assigns.

TO HAVE AND TO HOLD the above described easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The purpose of this easement is to accommodate the flow of water that may result from the construction and operation of the Boeckman Creek Detention Structure, built by Grantee to control the natural water run-off or storm drainage.
2. The Grantee, through its officers, employees, and agents, shall have the right to enter upon said lands in such a manner and from such places as may be under Grantor's control and at such times from this date as may be reasonably necessary for the purpose of patrolling, inspecting and maintaining from obstruction the flow of water from the Boeckman Creek Detention Structure for storm drainage purposes. Said right shall be perpetual as long as Grantee shall operate or maintain the Boeckman Creek Detention Structure for storm drainage purposes.
3. Grantee will make no unreasonable interference with the use of the surface of said land by Grantor (and heirs) and/or assigns.
4. In accepting this grant of flow easement, Grantee disclaims any present or future intent to possess, occupy, or acquire prescriptive rights to land by flooding. The easement herein conveyed by Grantor is the right to inundate riparian and adjacent land, and no transfer of any other title, fee or interest is granted herein except an easement of necessity for such flowage purposes.
5. Grantee disclaims any intent to create a wetland, and will specifically forebear from making any claim that additional wetlands have been created by the use of the easement granted herein.

After recording, return to:
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CITY OF WILSONVILLE
30000 SW Town Center Loop, E.
WILSONVILLE OR 97070

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, the undersigned grantor has executed this easement, this 31 day of

July, 1996.

Grantor: Inez C. Madrid
Inez C. Madrid

STATE OF OREGON)
County of Clackamas) ss

On this 31 day of July, 1996, before me, a notary public in and for said County and State, personally appeared Inez C. Madrid, known to me to be the person whose name she subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.



Diane M. Pankonin
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/29/99

APPROVED AS TO FORM
this 31 day of July, 1996
Michael E. Kohlhoff
Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

APPROVED AS TO LEGAL DESCRIPTION
this 31 day of AUGUST, 1996.
Mike Stone
Mike Stone, P.E., City Engineer
City of Wilsonville, Oregon

ACCEPTED on behalf of the City of Wilsonville, OR
this 4th day of August, 1996
Gerald A. Krummel
Gerald A. Krummel, Mayor

ATTESTED TO:
Linda Boeckman
~~Sandra C. King, City Recorder~~
Date: 8/7/96
Linda Boeckman
Deputy City Recorder

WILX0011
 L.I.D. No. 12-95-ST
 Canyon Creek Road North
 City of Wilsonville, Oregon
 GRA, DEA Inc. 2-26-96
 Parcel(s) 1

Madrid, Herman A.
 & Inez C.
 27490 SW Canyon Creek Rd.
 Wilsonville, OR 97070
 Clackamas County
 Document No. 74-16369
 3S-1W-12D-2900

PARCEL 1 - Storm Drainage Easement

A parcel of land lying in the Southwest one-quarter of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Herman A. Madrid and Inez C. Madrid, recorded June 14, 1974 as Document No. 74-16369, Clackamas County Book of Records; the said parcel being all of that portion of said property, lying along Boeckman Creek, below the 150 foot elevation line described as follows:

Beginning at a point South 88° 52' 36" East a distance of 2,412.25 feet along the South line of said Section 12 and North 72.56 feet from the Southwest corner of said Section 12; thence North 42° 06' 08" East a distance of 32.52 feet; thence North 85° 05' 44" East a distance of 43.11 feet; thence North 17° 27' 50" West a distance of 35.93 feet; thence North 15° 23' 46" West a distance of 45.64 feet; thence North 52° 27' 47" East a distance of 32.24 feet; thence North 46° 43' 22" East a distance of 18.54 feet; thence North 70° 24' 57" West a distance of 36.88 feet; thence North 77° 54' 24" West a distance of 33.79 feet; thence North 22° 04' 51" West a distance of 34.98 feet; thence North 20° 57' 57" West a distance of 33.59 feet; thence North 02° 55' 11" East a distance of 30.89 feet; thence North 44° 42' 55" East a distance of 22.98 feet; thence North 65° 51' 23" East a distance of 38.26 feet; thence North 46° 35' 38" East a distance of 34.81 feet; thence North 57° 58' 05" West a distance of 14.02 feet; thence South 84° 11' 03" West a distance of 29.06 feet; thence North 87° 25' 17" West a distance of 38.82 feet; thence North 69° 37' 49" West a distance of 23.86 feet; Thence North 31° 52' 03" West a distance of 52.82 feet; thence North 06° 51' 08" East a distance of 36.26 feet; thence North 71° 25' 57" West a distance of 38.05 feet; thence North 25° 37' 50" West a distance of 36.25 feet; thence North 00° 24' 09" West a distance of 34.24 feet; thence North 06° 58' 38" West a distance of 55.89 feet; thence North 18° 46' 45" West a distance of 48.90 feet; thence North 27° 42' 08" West a distance of 54.22 feet; thence North 03° 07' 19" West a distance of 57.26 feet; thence North 05° 11' 59" East a distance of 58.35 feet; thence North 08° 07' 54" West a distance of 45.13 feet; thence North 09° 27' 34" East a distance of 32.25 feet; thence North 17° 43' 45" West a distance of 46.49 feet; thence North 26° 13' 30" West a distance of 38.73 feet; thence North 04° 20' 04" West a distance of 41.77 feet; thence North 21° 44' 53"

DAVID EVANS AND ASSOCIATES, INC.

A PROFESSIONAL SERVICES CONSULTING FIRM
 OFFICES IN OREGON, WASHINGTON, CALIFORNIA AND ARIZONA
 2828 S.W. CORBETT AVENUE
 PORTLAND, OREGON 97201-4830
 (503) 223-6663 FAX (503) 223-2701





East a distance of 50.60 feet; thence North 43° 23' 20" East a distance of 53.40 feet; thence North 14° 10' 03" East a distance of 43.14 feet; thence North 20° 57' 36" East a distance of 48.02 feet; thence North 33° 56' 58" East a distance of 22.27 feet; thence North 23° 20' 59" East a distance of 15.32 feet; thence North 17° 42' 06" East a distance of 46.95 feet; thence North 03° 21' 29" West a distance of 100.12 feet; thence North 29° 51' 09" East a distance of 61.13 feet; thence North 10° 43' 17" East a distance of 21.63 feet; thence North 17° 59' 12" East a distance 37.97 feet; thence North 16° 18' 13" East a distance of 46.92 feet; thence North 14° 02' 29" East a distance of 38.41 feet; thence North 26° 39' 06" East a distance of 29.04 feet; thence North 44° 44' 07" East a distance of 60.62 feet; thence North 45° 22' 12" East a distance of 73.42 feet; thence North 20° 28' 51" East a distance of 88.42 feet; thence North 13° 45' 52" West a distance of 44.50 feet; thence North 32° 40' 49" East a distance of 18.67 feet; thence North 68° 05' 42" East a distance of 49.00 feet; thence South 86° 22' 45" East a distance of 40.18 feet; thence North 73° 17' 11" East a distance of 45.29 feet; thence North 62° 22' 57" East a distance of 40.01 feet; thence North 21° 10' 58" East a distance of 40.62 feet; thence North 10° 10' 07" East a distance of 43.63 feet; thence North 38° 45' 07" East a distance of 41.59 feet; thence North 02° 31' 08" East a distance of 44.44 feet; thence North 34° 51' 28" East a distance of 23.38 feet; thence North 66° 34' 20" East a distance of 19.54 feet; thence South 82° 38' 13" East a distance of 31.23 feet; thence North 22° 18' 26" East a distance of 33.11 feet; thence North 15° 14' 45" East a distance of 43.53 feet; thence North 77° 05' 35" East a distance of 13.41 feet; thence South 68° 27' 00" East a distance of 17.31 feet; thence North 75° 12' 00" East a distance of 31.13 feet; thence North 68° 53' 37" West a distance of 10.35 feet; thence North 54° 24' 05" West a distance of 41.09 feet; thence North 67° 06' 43" East a distance of 17.24 feet; thence North 46° 42' 49" West a distance of 27.73 feet; thence North 44° 16' 23" East a distance of 17.94 feet; thence North 63° 20' 52" West a distance of 20.48 feet; thence North 22° 17' 14" West a distance of 23.65 feet; thence North 49° 35' 53" West a distance of 25.21 feet; thence South 88° 53' 59" West a distance of 18.94 feet; thence North 44° 24' 49" West a distance of 45.97 feet; thence South 26° 44' 18" East a distance of 28.31 feet; thence South 03° 28' 44" East a distance of 24.41 feet; thence South 19° 13' 08" East a distance of 19.86 feet; thence South 07° 30' 09" West a distance of 25.12 feet; thence South 25° 00' 06" West a distance of 28.05 feet; thence South 71° 52' 31" West a distance of 38.00 feet; thence South 71° 52' 52" West a distance of 26.16 feet; thence South 41° 05' 51" West a distance of 37.22 feet; thence South 07° 03' 03" West a distance of 49.00 feet; thence South 35° 06' 47" West a distance of 33.10 feet; thence South 40° 12' 08" West a distance of 47.44 feet; thence South 37° 43' 59" West a distance of 44.72 feet; thence South 75° 32' 08" West a distance of 35.03 feet; thence South 68° 23' 27" West a distance of 54.34 feet; thence South 75° 21' 04" West a distance of 65.47 feet; thence South 47° 00' 26" West a distance of 66.14 feet; thence South 15° 18' 23" West a distance of 85.78 feet; thence South 17° 25' 09" West a distance of 53.69 feet; thence South 32° 53' 27" West a distance of 94.52 feet; thence South 13° 47' 58" West a distance of 58.55 feet; thence South 30° 22' 42" West a distance of

DEA

36.48 feet; thence South 78° 13' 43" West a distance of 27.76 feet; thence North 78° 56' 25" West a distance of 42.81 feet; thence South 80° 45' 56" West a distance of 88.41 feet; thence South 72° 50' 16" East a distance of 69.52 feet; thence South 67° 11' 33" East a distance of 35.03 feet; thence South 26° 19' 05" East a distance of 19.03 feet; thence South 03° 33' 38" West a distance of 47.97 feet; thence South 00° 26' 16" East a distance of 42.58 feet; thence South 10° 34' 01" West a distance of 53.24 feet; thence South 08° 27' 57" West a distance of 79.58 feet; thence South 35° 06' 01" West a distance of 47.28 feet; thence South 26° 16' 40" West a distance of 42.63 feet; thence South 49° 02' 28" West a distance of 43.47 feet; thence South 26° 50' 46" West a distance of 42.56 feet; thence South 08° 02' 41" West a distance of 58.36 feet; thence South 11° 21' 44" West a distance of 48.68 feet; thence South 06° 33' 42" East a distance of 43.30 feet; thence South 06° 49' 12" East a distance of 53.50 feet; thence South 12° 18' 12" East a distance of 49.36 feet; thence South 05° 03' 50" East a distance of 55.07 feet; thence South 01° 08' 08" West a distance of 43.10 feet; thence South 07° 22' 01" East a distance of 53.02 feet; thence South 01° 42' 03" West a distance of 57.53 feet; thence South 22° 38' 34" East a distance of 58.01 feet; South 10° 21' 06" West a distance of 19.30 feet; thence South 34° 13' 14" East a distance of 35.43 feet; thence South 09° 23' 33" East a distance of 45.54 feet; thence South 19° 35' 06" East a distance of 57.40 feet; thence South 21° 48' 59" East a distance of 39.31 feet; thence South 29° 09' 01" East a distance of 57.52 feet; thence South 13° 16' 52" East a distance of 30.92 feet; thence South 37° 14' 36" East a distance of 28.45 feet; thence South 20° 52' 01" East a distance of 42.60 feet; thence South 08° 20' 27" East a distance of 58.71 feet; thence South 00° 06' 45" West a distance of 45.68 feet; thence South 17° 06' 49" East a distance of 44.13 feet; thence South 12° 16' 41" East a distance of 49.59 feet; thence South 22° 37' 43" East a distance of 35.16 feet; thence South 74° 02' 20" East a distance of 15.52 feet; thence South 88° 55' 42" East a distance of 42.56 feet; thence North 85° 45' 49" East a distance of 37.07 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North Zone. Elevations are based on City of Wilsonville vertical datum.

The parcel of land to which this description applies contains 0.572 acres, or 24,930 square feet, more or less.

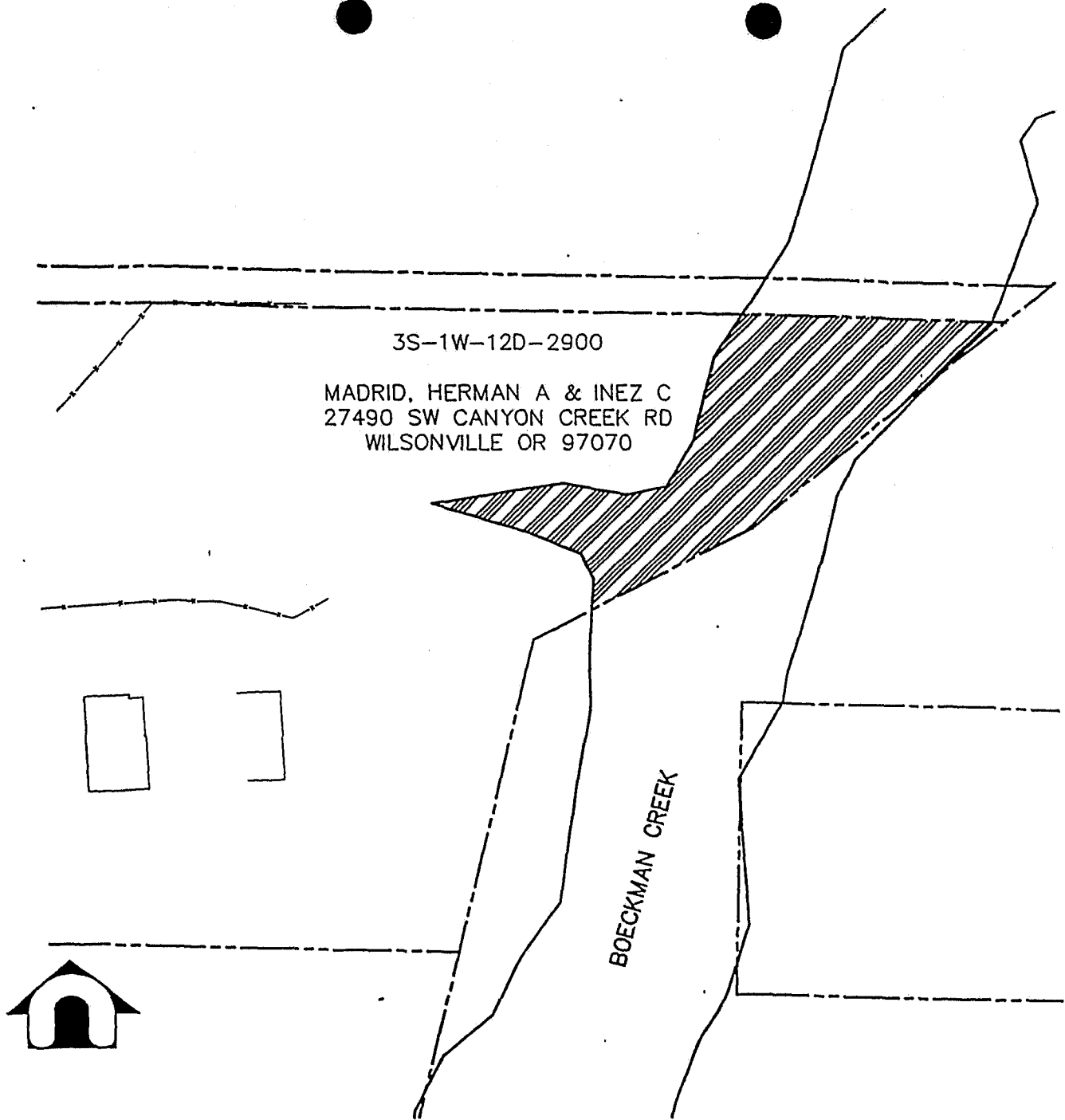
GRA, DEA Inc.
2-26-96
GRA:kyg\o:\project\wilx0011\msdrid2.leg

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gary R. Anderson
OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

DAVID EVANS AND ASSOCIATES, INC.
A PROFESSIONAL SERVICES CONSULTING FIRM

Renewal 12/31/97



3S-1W-12D-2900

MADRID, HERMAN A & INEZ C
 27490 SW CANYON CREEK RD
 WILSONVILLE OR 97070

BOECKMAN CREEK



PERMANENT DRAINAGE
 FACILITIES EASEMENT



DAVID EVANS AND ASSOCIATES, INC.
 ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
 8000 N.E. CORBETT AVENUE PORTLAND, OR 97201 (503) 253-0888

PROJECT

CANYON CREEK ROAD NORTH

TITLE

L.I.D. NO. 12-95-ST

MADRID EXHIBIT

JOB NO.

WILX 0011

DRAWN BY

TAS

DESIGN BY

GRA

SCALE

1" = 100'

DATE

2-26-96

LAND DEDICATION FOR:
Grantor - Individual

KNOW ALL MEN BY THESE PRESENTS, that Inez C. Madrid, hereinafter referred to as "GRANTOR" does hereby dedicate, grant, transfer and convey to the CITY OF WILSONVILLE and its assigns for the use of the public as utilities facilities, forever, certain real property described as follows, to-wit:

SEE EXHIBIT "A" Legal Description Parcel 1 AND Locational Map attached hereto, and incorporated by reference as if fully set forth herein.

TO HAVE AND TO HOLD the above described and dedicated premises unto the City of Wilsonville for the Public forever for the uses and purposes herein above mentioned; provided, however, in the event said premises are not used or cease to be used for public purpose, the premises shall revert to the GRANTOR.

The true and actual consideration paid for the transfer, stated in terms of dollars, is \$4,100.00.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, the undersigned GRANTOR has executed this dedication, this 31 day of July, 1996.

GRANTOR: Inez C. Madrid
Inez C. Madrid

STATE OF OREGON)
County of Clackamas) ss

On this 31 day of July, 1996, before me, a notary public in and for said County and State, personally appeared Inez C. Madrid, known to me to be the person whose name she subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal on the day and year above written.



Diane M. Pankonin
Notary Public for Oregon
My Commission Expires: 11/29/99

After recording, return to:
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Wilsonville, OR 97070

**LAND DEDICATION FOR:
Grantor - Individual**

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Inez C. Madrid

STATE OF OREGON)
County of Clackamas) ss

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Diane M. Pankonin
Notary Public for Oregon
My Commission Expires: 11/29/99

After recording, return to:
CITY RECORDER
CITY OF WILSONVILLE
30000 SW Town Center Loop E.
Wilsonville, OR 97070

APPROVED AS TO FORM

this 31 day of July, 1996.

Michael E. Kohlhoff
Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

APPROVED AS TO LEGAL DESCRIPTION

this 8th day of August, 1996.

Mike Stone
Mike Stone, P.E., City Engineer
City of Wilsonville, Oregon

ACCEPTED on behalf of the City of Wilsonville, Oregon

this 7th day of August, 1996.

Gerald A. Krummel
Gerald A. Krummel, Mayor

ATTESTED TO:

Linda Boeckman
~~Sandra C. King, City Recorder~~

Linda Boeckman,
Deputy City Recorder

8/7/96

Date



EXHIBIT A

WILX0011
L.I.D. No. 12-95-ST
Canyon Creek Road North
City of Wilsonville, Oregon
GRA, DEA Inc. 2-26-96
Amended 4-8-96
Amended 4-29-96
Amended 5-10-96
ERC,DEA Inc. 6-20-96
Amended 6-20-96
Amended 6-25-96
Parcel(s) 2

Madrid, Inez C.

27490 SW Canyon Creek Rd.
Wilsonville, OR 97070
Clackamas County
Document No. 74-16369
3S-1-W-12D-2900

PARCEL 1 Dedication for Utility Facilities

A parcel of land lying in the Southwest one-quarter of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Herman A. Madrid and Inez C. Madrid, recorded June 14, 1974 as Document No. 74-16369, Clackamas County Book of Records; the said parcel being more particularly described as follows:

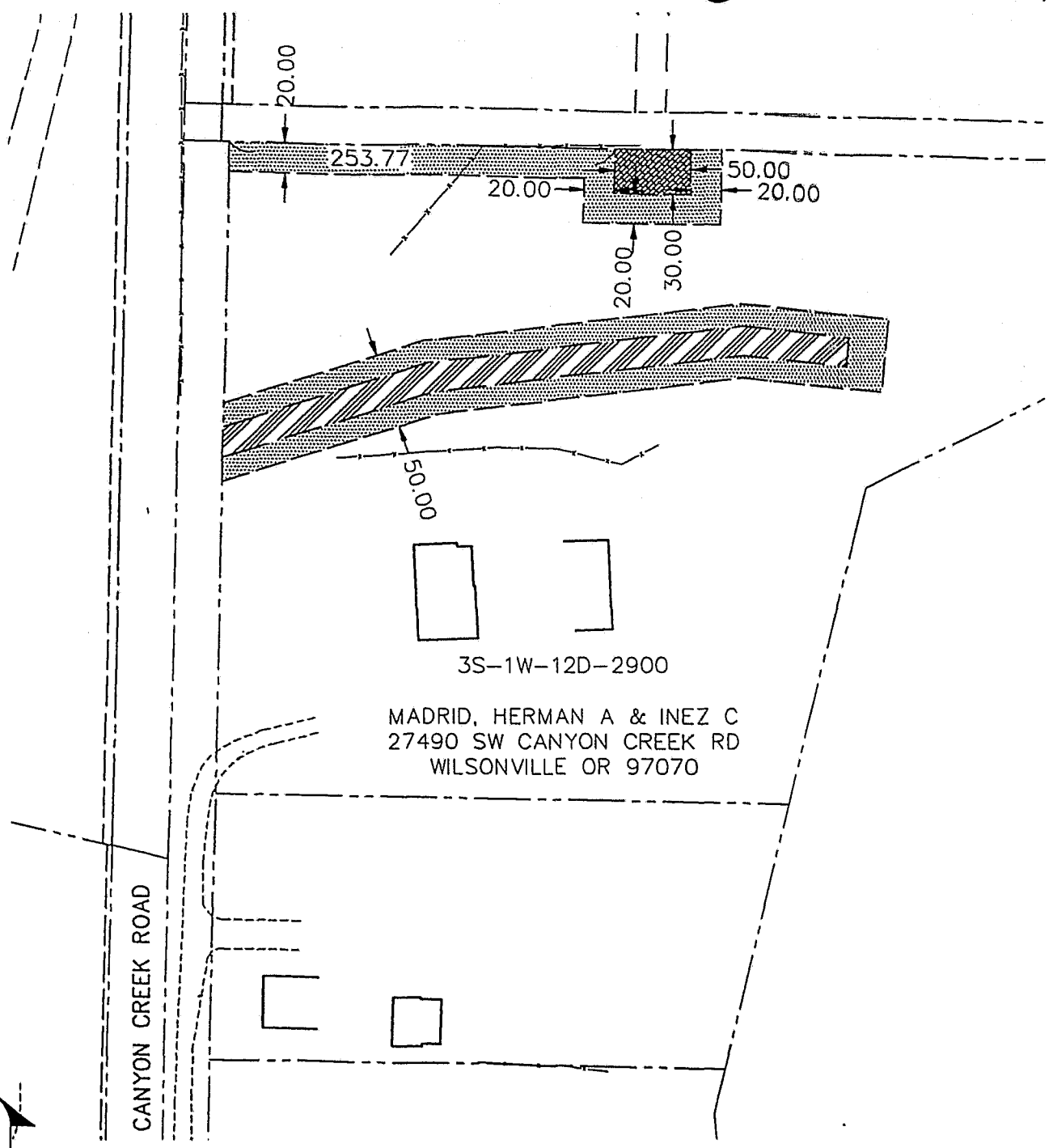
Beginning at a point lying South 88° 53' 26" East, a distance of 253.77 feet along the North line of said property from the Northwest corner thereof; thence along said North line South 88° 53' 26" East a distance of 50.00 feet; thence leaving said line South 1° 06' 34" West a distance of 30.00 feet; thence North 88° 53' 26" West a distance of 50.00 feet; thence North 1° 06' 34" East a distance of 30.00 feet to the point of beginning.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 1,500 square feet more or less.

Together with a temporary construction easement described as follows:

Beginning at the northwest corner of the above referenced property and running thence South 88° 53' 26" East along the north line thereof a distance of 323.77 feet; thence South 01° 06' 34" West 50.00 feet; thence North 88° 53' 26" West 90.00 feet; thence North 01° 06' 34" East 30.00 feet; thence North 88° 53' 26" West 233.77 feet to the west line of said property; thence North 01° 06' 34" East 20.00 feet to the point of beginning. Containing 0.211 acres more or less.



3S-1W-12D-2900

MADRID, HERMAN A & INEZ C
 27490 SW CANYON CREEK RD
 WILSONVILLE OR 97070

CANYON CREEK ROAD



DEDICATION FOR
 UTILITY FACILITIES
 0.034 ACRE



PERMANENT UTILITY
 FACILITIES EASEMENT
 0.203 ACRE
 PROJECT



TEMPORARY CONSTRUCTION
 EASEMENT



DAVID EVANS AND ASSOCIATES, INC.
 ENGINEERS, SURVEYORS, PLUMBERS, LANDSCAPE ARCHITECTS
 2888 S.W. CORCORAN AVENUE PORTLAND, OR 97201 (503) 223-8843

CANYON CREEK ROAD NORTH

TITLE **L.I.D. NO. 12-95-ST**

MADRID EXHIBIT

JOB NO. WJLX 0011 DRAWN BY T.A.S. DESIGN BY GRA SCALE 1" = 100' DATE 4-8-96

PIPELINE EASEMENT
Grantor - Individual

KNOW ALL MEN BY THESE PRESENTS, that Inez C. Madrid, hereinafter referred to as "GRANTOR", for the consideration hereinafter stated, does forever grant unto the CITY OF WILSONVILLE, a municipal corporation, hereinafter referred to as "GRANTEE", a permanent right-of-way and easement over and along the full width and length of the premises described as follows, to-wit:

1. Parcel 2 Legal description is set forth in EXHIBIT "A" attached hereto, and incorporated by reference herein.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$3,190.00.

In the event the permanent right-of-way and easement shall no longer serve a public purpose, it shall revert back to the Grantor, her heirs, successors and/or assigns; and

TO HAVE AND TO HOLD the above described permanent right-of-way and easement unto said Grantee in accordance with the conditions and covenants as follows:

1. The permanent right-of-way and easement shall include the right, privilege, and authority, to the said City of Wilsonville, to excavate for, and to construct, build, install, lay, patrol, operate, maintain, repair, replace and remove an underground sanitary sewer, storm drain, or water pipeline or pipelines, with all appurtenances incident thereto or necessary therewith, including aboveground valve boxes, fire hydrants or manholes, for the purpose of carrying and conveying sewage wastes, surplus waters, or potable water as the case may be, and for similar uses in, under, and across the said premises, and to cut and remove from said right-of-way any trees and other obstructions which may endanger the safety or interfere with the use of said pipelines, appurtenances attached to or connected therewith; and the right of ingress and egress to and over said above described premises at any and all times for doing anything necessary, useful, or convenient for the enjoyment of the easement hereby granted. No building shall be constructed over the pipeline easement right-of-way.

2. Grantee will indemnify and hold harmless the Grantor, her heirs, successors and/or assigns from claims for injury to person or property as a result of the negligence of the Grantee, its agents or employees in the construction, operation, or maintenance of said pipeline.

3. The City of Wilsonville, upon the initial installation, and upon each and every occasion that the same be repaired, replaced, renewed, added to, or removed, shall restore the premises of the Grantor, and any improvements disturbed by the City, to as good condition as they were prior to any such installation work, including, but not limited to, the restoration of any topsoil, lawn and nursery stock of like kind and quality subject to reasonable substitution as may be necessitated by obstruction or interference with the use granted herein.

4. Grantor may, at her option and expense, relocate said right-of-way, easement and associated public appurtenances and utilities, provided such relocation is accepted by the City as complying with applicable codes and standards, land use laws and regulations.

After recording, return to:
CITY RECORDER
CITY OF WILSONVILLE
30000 SW Town Center Loop E.
Wilsonville, OR 97070

PIPELINE EASEMENT
Grantor - Individual

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After recording, return to:
CITY RECORDER
CITY OF WILSONVILLE
30000 SW Town Center Loop E.
Wilsonville, OR 97070

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, the undersigned GRANTOR has executed this easement, this 31 day of July, 1996.

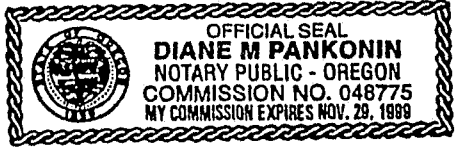
GRANTOR: Inez C. Madrid
Inez C. Madrid

STATE OF OREGON)
County of Clackamas) ss

On this 31 day of July, 1996, before me, a notary public in and for said County and State, personally appeared Inez C. Madrid, known to me to be the person whose name she subscribed to the within instrument and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunder set my hand and official seal on the day and year above written.

Diane M. Pankonin
Notary Public for Oregon
My Commission Expires: 11/29/99



APPROVED AS TO FORM
this 31 day of July, 1996.
Michael E. Kohlhoff
Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

APPROVED AS TO LEGAL DESCRIPTION
this 31st day of August, 1996.
Mike Stone
Mike Stone, P.E., City Engineer
City of Wilsonville, Oregon

ACCEPTED on behalf of the City of Wilsonville, OR
this 7th day of August, 1996.
Gerald A. Krummel
Gerald A. Krummel, Mayor

ATTESTED TO:
Linda Boeckman
Sandra C. King, City Recorder
Date: 8/7/96
Linda Boeckman,
Deputy City Recorder



EXHIBIT A

WILX0011
L.I.D. No. 12-95-ST
Canyon Creek Road North
City of Wilsonville, Oregon
GRA, DEA Inc. 2-26-96
Amended 4-8-96
Amended 4-29-96
Amended 5-10-96
ERC,DEA Inc. 6-20-96
Amended 6-20-96
Amended 6-25-96
Parcel(s) 2

Madrid, Inez C.
27490 SW Canyon Creek Rd.
Wilsonville, OR 97070
Clackamas County
Document No. 74-16369
3S-1-W-12D-2900

PARCEL 2 Permanent Utility Facilities Easement

A parcel of land lying in the Southwest one-quarter of Section 12, Township 3 South, Range 1 West, W.M., Clackamas County, Oregon and, being a portion of that property conveyed in the Deed to Herman A. Madrid and Inez C. Madrid, recorded June 14, 1974 as Document No. 74-16369, Clackamas County Book of Records; the said parcel of land being that portion of said property within a 20 foot wide strip, lying 10 feet on each side of the facility, the center line of which is more particularly described as follows:

Beginning at a point lying South 01° 28' 35" West, a distance of 202.42 feet along the West line of said property from the Northwest corner thereof; thence leaving said West line North 72° 27' 00" East a distance of 143.75 feet; thence North 83° 17' 51" East a distance of 206.90 feet; thence South 84° 51' 03" East a distance of 69.76 feet to the Boeckman Creek drainage and the end of said centerline.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 8,408 square feet more or less.

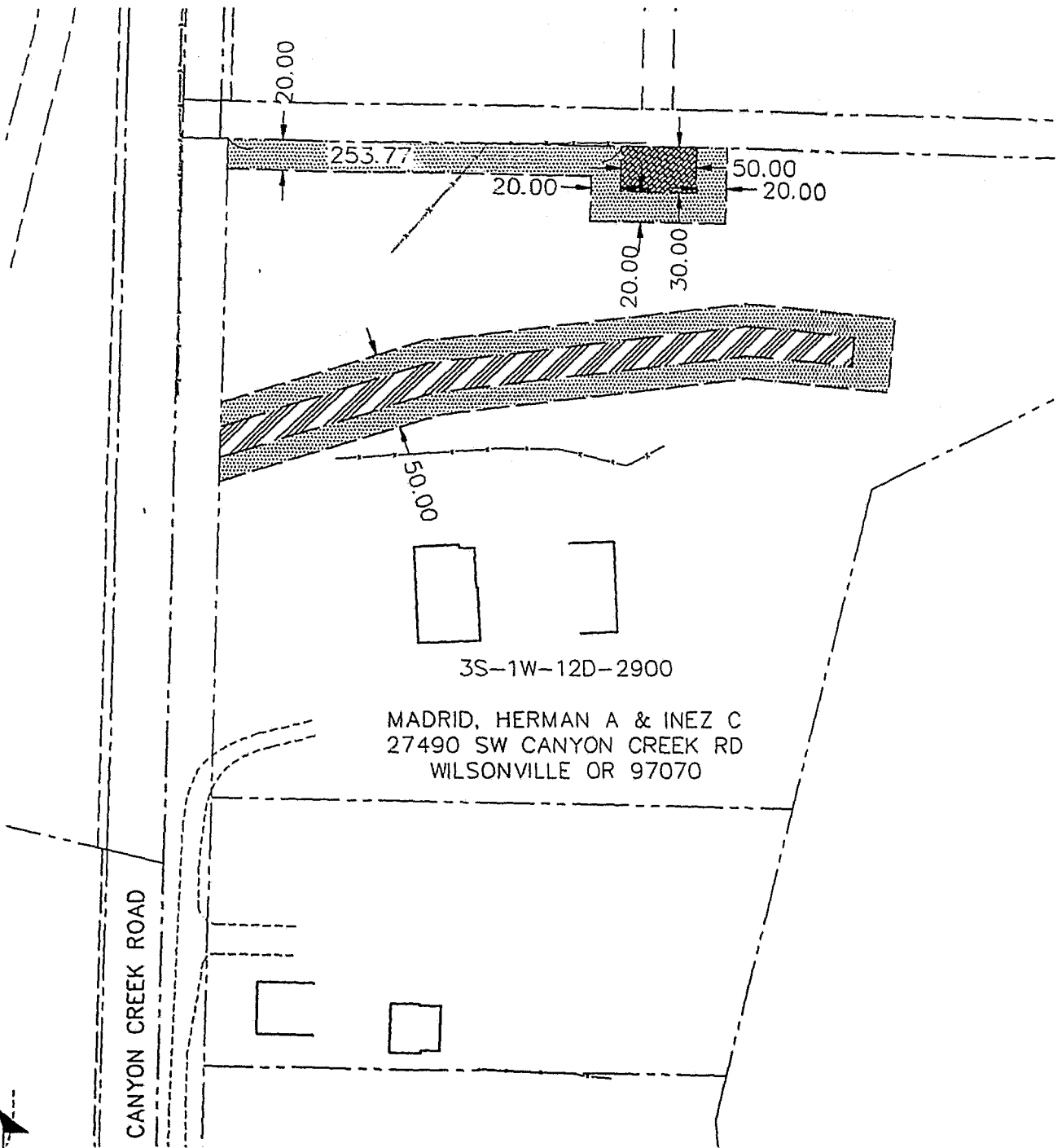
Together with a temporary construction easement being 50.00 feet of even width lying 25.00 feet on each side of the following described line:

Beginning at a point on the west line of and South 202.42 feet from the northwest corner of the above referenced property; and running thence North 72° 27' 00" East 143.75 feet; thence North 83° 17' 51" East 206.90 feet; thence South 84° 51' 03" East 95.00 feet and there terminating. Containing 0.512 acres more or less.

ERC, DEA Inc.

6/25/96

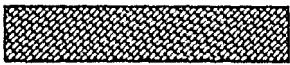
ERC:ljg o:\project\w\wilx0011\madrid4.leg



CANYON CREEK ROAD

3S-1W-12D-2900

MADRID, HERMAN A & INEZ C
27490 SW CANYON CREEK RD
WILSONVILLE OR 97070



DEDICATION FOR
UTILITY FACILITIES
0.034 ACRE



PERMANENT UTILITY
FACILITIES EASEMENT
0.203 ACRE
PROJECT



TEMPORARY CONSTRUCTION
EASEMENT



DAVID EVANS AND ASSOCIATES, INC.
ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
2000 S.W. CORNETT AVENUE, PORTLAND, OR 97201 (503) 253-6843

CANYON CREEK ROAD NORTH

TITLE **L.I.D. NO. 12-95-ST**

MADRID EXHIBIT

JOB NO. WILX 0011 DRAWN BY T-45 DESIGN BY GRA SCALE 1" = 100' DATE 4-8-86