CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 13- 16

A RESOLUTION TO AMEND RESOLUTION NO. 12-01, REMOVING AND REPLACING PROPERTY NOS. 1, 4 AND 6 WITH REVISED LEGAL DESCRIPTIONS AND DEPICTIONS. RESOLUTION NO. 12-01 DECLARES THE NEED TO ACQUIRE RIGHTS OF WAY AND TEMPORARY CONSTRUCTION EASEMENTS ON PROPERTIES FOR THE PURPOSES OF INSTALLING, REPLACING, AND REPAIRING SIDEWALK AND GREEN STREET IMPROVEMENTS NEEDED TO PROVIDE SAFE TRANSPORTATION ROUTES FOR PEDESTRIANS

WHEREAS, the City of Tigard Charter grants the City of Tigard ("City") authority to acquire interest in land for public purposes; and

WHEREAS, the City is authorized by ORS 223.005 et seq. and ORS 35.015 et seq. to purchase, acquire, take, use, enter upon and appropriate land and property within or without its corporate limits for the purposes provided in those statutes; and

WHEREAS, the City needs to acquire rights of way and/or temporary construction easements on 29 properties on Main Street as part of an overall green street project for the public purpose of providing safe transportation for pedestrians; and

WHEREAS, the City has determined that the acquisition of rights of way and/or temporary construction easements on certain properties is necessary and will be used for the location, installation, replacement and repair of the needed city sidewalk and green street improvements; and

WHEREAS, the City, on January 24, 2012, adopted Resolution No. 12-01, in which the City Council declared the need to acquire the above-referenced rights of way and temporary construction easements, and authorized City staff to proceed with acquiring said properties, including, if necessary, the use of eminent domain.

WHEREAS, the City Council has determined that it is in the public interest to revise the project design, and this revision changes Exhibits A and B for Property Nos. 1, 4 and 6 in Resolution No. 12-01; and

WHEREAS, the legal descriptions and depictions for Property Nos. 1, 4 and 6 have been revised accordingly.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: Resolution No. 12-01 is hereby amended as follows: Exhibits A and B for Property Nos. 1, 4 and 6 in Resolution No. 12-01 are replaced in their entirety by the legal descriptions and depictions attached and incorporated to this resolution as Exhibits A and B for Property Nos. 1, 4 and 6.

SECTION 2: Except as amended herein, Resolution No. 12-01, and the remainder of Exhibits A and B to Resolution No. 12-01, remain in full force and effect.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This 9th day of April 2013.

Mayor - City of Tigard

ATTEST:

Catherine Wheatley
City Recorder - City of Tigard

Exhibit A - Property 1

EXHIBIT "A"

Main St.: OR99W – Rail Corridor (Tigard)
December 3, 2012
OWNER: Highlands Associates, Ltd.
Page 1 of 3

State No. FAP 7365(009), Key No. 15600
Map & Tax Lot No. 2S 1 02AC-201
Property No. 1

PARCEL 1 – DEDICATION OF RIGHT-OF-WAY

A parcel of land located in the Northeast One-Quarter and the Northwest One-Quarter of Section 2, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon, and being a portion of that tract of land as described by Bargain and Sale Deed to Highlands Associates, Ltd., recorded February 22, 2006 as Document 2006-020386, Washington County Records, said parcel being that portion of said property lying Northwesterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Station	to	**Station**	Offset on **Southeasterly** side of Centerline
0+80		2+10.64	46.00 feet (parallel with the proposed centerline of S.W. Main Street) to a point of reverse curve
2+10.64		2+25.51	46.00 feet (along arc with a 40.00 foot radius curve right, having a central angle of 31°43'58", long chord bears North 59°10'50" East, 21.87 feet and arc length of 22.15 feet) to 53.21 feet
2+25.51		3+60	53.21 feet in a straight line to 40.16 feet

EXCEPTING therefrom that portion lying within the existing right-of-way of S.W. Main Street.

The parcel of land to which this description applies contains 999 square feet more or less.

The location and stationing of the Proposed Centerline of S.W. Main Street is more particularly described as follows:

Beginning at the centerline intersection of S.W. Pacific Highway, State Highway 99 West, and S.W. Main Street, being station 0+00, from which a 2-1/2" Brass Disk set in concrete, designated as Geodetic Control Station CG 022-071, bears South 62°36'24" West, 2440.19 feet. Said point is located north of the intersection of SW Grant Street and SW Grant Court and lies in the northeast curb of SW Grant Court, between 13045 SW Grant Street and 10395 SW Grant Court, in Section 2, Township 2 South, Range 1 West, W.M., City of Tigard, Washington County, Oregon.

Thence South 60°04'13"East, along the proposed centerline of S.W. Main Street, 40.14 feet to station 0+40.14, and the beginning of 127.50 radius curve to the left, having a central angle of 83°20'36";

Thence continuing along said proposed centerline and along the arc of said curve to the left (the long chord of which bears North 78°15'28" East, 169.54 feet) 185.46 feet to station 2+25.61;

Thence North 36°35'10" East, along the proposed centerline of S.W Main Street, 3.75 feet to station 2+29.35 and the beginning of a 110.00 foot radius curve to the right, having a central angle of 22°59'19";

Thence continuing along said proposed centerline and the arc of said curve to the right (the long chord of which bears North 48°04'50" East, 43.84 feet) 44.14 feet to station 2+73.49;

Thence leaving said curve and continuing along the proposed centerline of S.W. Main Street North 59°34'29" East, 645.35 feet to the intersection with the centerline of S.W. Burnham Street at station 9+18.84;

Thence continuing along said line North 59°34'29" East, 84.13 feet to the intersection with the centerline of S.W. Burnham Street at station 10+02.97;

Thence continuing along said line, North 59°34'29" East, 42.66 feet to an angle point at station 10+45.62;

Thence North 55°18'33" East, along said proposed centerline of S.W. Main Street, 85.79 feet to station 11+31.41 and the beginning of a 800.00 foot radius curve to the left, having a central angle of 02°22'38";

Thence continuing along said proposed centerline and the arc of said curve to the left (the long chord of which bears North 54°07'14" East, 33.19 feet) 33.19 feet to the intersection with the centerline of S.W. Electric Street at station 11+64.60;

Thence continuing along said 800.00 foot radius curve to the left, having a central angle of 02°22'47" (the long chord of which bears North 51°44'32" East, 33.22 feet) 33.23 feet to station 11+97.83;

Thence leaving said curve and continuing along the proposed centerline of S.W. Main Street North 50°33'09" East, 130.44 feet to the intersection with the centerline S.W. Tigard Street at Station 13+28.27;

Thence continuing along said line North 50°33'09" East, 101 feet, more or less to the centerline of Burlington Northern Railroad, per Partition Plat No. 1996-026 at approximate station 14+29, and the terminus of said herein described proposed

centerline, from which, said Geodetic Control Station GC 022-071 bears South 61°56'29" West, 3819.13 feet.

The **Basis of Bearings** for this description is the state plane bearing between the published coordinates of Geodetic Control Stations GC 022-071 and GC 022-065, Washington County Survey Records, as North 42°03'27" East. Published coordinates of said GC 022-071 were held with an overall project combined scale factor of 1.000099592 to match ground measurements.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land located in the Northeast One-Quarter and the Northwest One-Quarter of Section 2, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon, and being a portion of that tract of land as described by Bargain and Sale Deed to Highlands Associates, Ltd., recorded February 22, 2006 as Document 2006-020386, Washington County Records, said parcel being that portion of said property lying northwesterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Station	to	**Station**	Offset on **Southeasterly** side of Centerline
0+80		2+10.64	51.00 feet (parallel with the proposed centerline of S.W. Main Street) to a point of reverse curve
2+10.64		2+26.89	51.00 feet (along arc with a 35.00 foot radius curve right, having a central angle of 41°58'23", long chord bears North 64°18'02" East, 25.07 feet and arc length of 25.64 feet) to 61.43 feet
2+26.89		2+22.09	61.43 feet in a straight line to 99.85 feet
2+22.09		3+60.00	99.85 feet in a straight line to 87.55 feet

EXCEPTING therefrom that portion of said property lying within the existing right of way of S.W. Main Street and the aforementioned Parcel 1.

The parcel of land to which this description applies contains 4,682 square feet more or less.

The stationing used to describe this parcel is based on the Proposed Centerline of S.W. Main Street described herein, being more particularly described in Parcel 1.

See attached Exhibit "B" hereby incorporated by reference.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

12-31-13

Exhibit B-Property 1

EXHIBIT "B"

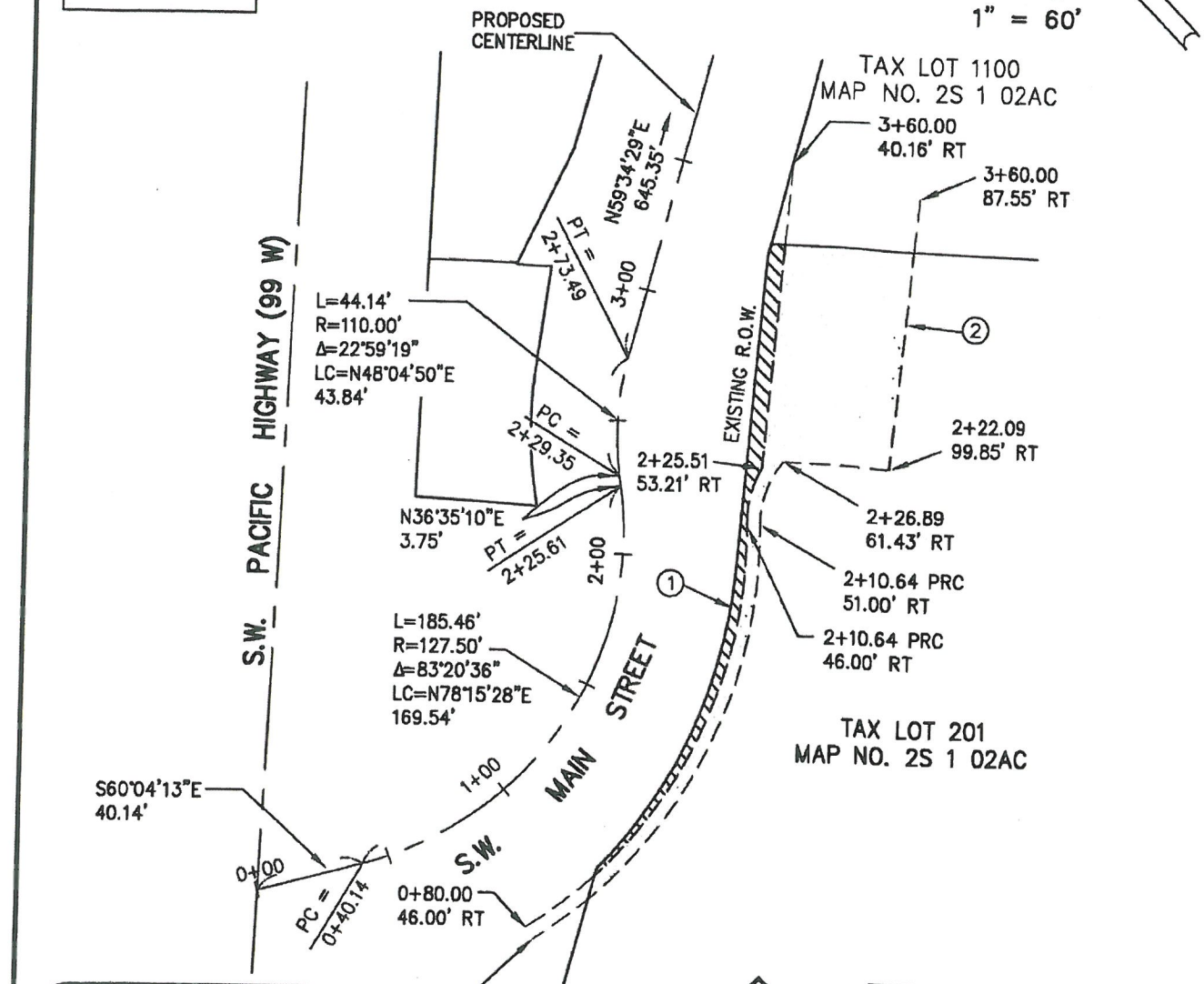
PAGE 1 OF 1
DECEMBER 3, 2012
PROPERTY NO. 1

LEGEND

① PERMANENT R.O.W. EASEMENT FOR ROAD PURPOSES ± 999 SQ.FT.

② TEMPORARY CONSTRUCTION EASEMENT FOR ROAD PURPOSES ± 4,682 SQ.FT.

SCALE
1" = 60'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXP. 12-31-13

HHPR Harper Houf Peterson Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

Exhibit A-Property 4

EXHIBIT "A"

Main St.: OR99W – Rail Corridor (Tigard)
December 3, 2012
OWNER: Main Street, LLC
Page 1 of 3

State No. FAP 7365(009), Key No. 15600
Map & Tax Lot No. 2S 1 02AC-1100
Property No. 4

PARCEL 1 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land located in the Northeast One-Quarter of Section 2, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon, and being a portion of that tract of land as described by Bargain and Sale Deed to Main Street, LLC, recorded January 22, 2002 as Document 2002-007591, Washington County Records, said parcel being that portion of said property included in a strip of land lying southeasterly of the following described proposed centerline of S.W. Main Street.

The location and stationing of the Proposed Centerline of S.W. Main Street is more particularly described as follows:

Beginning at the centerline intersection of S.W. Pacific Highway, State Highway 99 West, and S.W. Main Street, being station 0+00, from which a 2-1/2" Brass Disk set in concrete, designated as Geodetic Control Station CG 022-071, bears South 62°36'24" West, 2440.19 feet. Said point is located north of the intersection of SW Grant Street and SW Grant Court and lies in the northeast curb of SW Grant Court, between 13045 SW Grant Street and 10395 SW Grant Court, in Section 2, Township 2 South, Range 1 West, W.M., City of Tigard, Washington County, Oregon.

Thence South 60°04'13"East, along the proposed centerline of S.W. Main Street, 40.14 feet to station 0+40.14, and the beginning of 127.50 radius curve to the left, having a central angle of 83°20'36";

Thence continuing along said proposed centerline and along the arc of said curve to the left (the long chord of which bears North 78°15'28" East, 169.54 feet) 185.46 feet to station 2+25.61;

Thence North 36°35'10" East, along the proposed centerline of S.W Main Street, 3.75 feet to station 2+29.35 and the beginning of a 110.00 foot radius curve to the right, having a central angle of 22°59'19";

Thence continuing along said proposed centerline and the arc of said curve to the right (the long chord of which bears North 48°04'50" East, 43.84 feet) 44.14 feet to station 2+73.49;

Thence leaving said curve and continuing along the proposed centerline of S.W. Main Street North 59°34'29" East, 645.35 feet to the intersection with the centerline of S.W. Burnham Street at station 9+18.84;

Thence continuing along said line North 59°34'29" East, 84.13 feet to the intersection with the centerline of S.W. Burnham Street at station 10+02.97;

Thence continuing along said line, North 59°34'29" East, 42.66 feet to an angle point at station 10+45.62;

Thence North 55°18'33" East, along said proposed centerline of S.W. Main Street, 85.79 feet to station 11+31.41 and the beginning of a 800.00 foot radius curve to the left, having a central angle of 02°22'38";

Thence continuing along said proposed centerline and the arc of said curve to the left (the long chord of which bears North 54°07'14" East, 33.19 feet) 33.19 feet to the intersection with the centerline of S.W. Electric Street at station 11+64.60;

Thence continuing along said 800.00 foot radius curve to the left, having a central angle of 02°22'47" (the long chord of which bears North 51°44'32" East, 33.22 feet) 33.23 feet to station 11+97.83;

Thence leaving said curve and continuing along the proposed centerline of S.W. Main Street North 50°33'09" East, 130.44 feet to the intersection with the centerline S.W. Tigard Street at Station 13+28.27;

Thence continuing along said line North 50°33'09" East, 101 feet, more or less to the centerline of Burlington Northern Railroad, per Partition Plat No. 1996-026 at approximate station 14+29, and the terminus of said herein described proposed centerline, from which, said Geodetic Control Station GC 022-071 bears South 61°56'29" West, 3819.13 feet.

The **Basis of Bearings** for this description is the state plane bearing between the published coordinates of Geodetic Control Stations GC 022-071 and GC 022-065, Washington County Survey Records, as North 42°03'27" East. Published coordinates of said GC 022-071 were held with an overall project combined scale factor of 1.000099592 to match ground measurements.

The width of said strip with reference to the above described centerline is as follows:

Station	to	**Station**	Width on **Southeasterly** side of Centerline
3+00		4+25.00	45.00 feet

EXCEPTING therefrom that portion lying within the existing right-of-way of S.W. Main Street.

The parcel of land to which this description applies contains 424 square feet more or less.

See attached Exhibit "B" hereby incorporated by reference.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

12-31-13

Exhibit B-Property 4

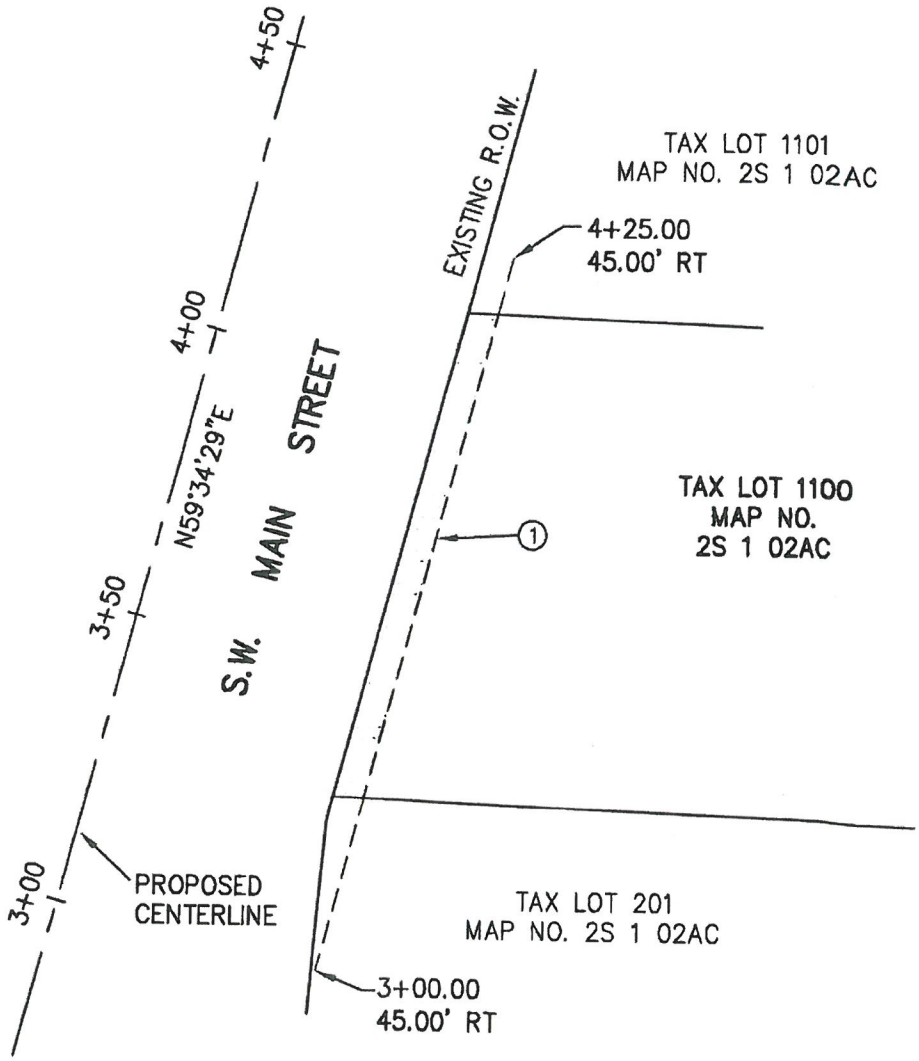
EXHIBIT "B"

PAGE 1 OF 1
DECEMBER 3, 2012
PROPERTY NO. 4

LEGEND

(1) TEMPORARY CONSTRUCTION EASEMENT FOR ROAD PURPOSES ±424 SQ.FT.

SCALE
1" = 30'



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OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXP. 12-31-13

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205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

Exhibit A-Property 6

EXHIBIT "A"

Main St.: OR99W – Rail Corridor (Tigard)
December 3, 2012
OWNER: Two G's Real Estate. LLC

State No. FAP 7365(009), Key No. 15600
Map & Tax Lot No. 2S 1 02AC-1101
Property No. 6

PARCEL 1 – DEDICATION OF RIGHT-OF-WAY

A parcel of land located in the Northeast One-Quarter of Section 2, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon, and being a portion of that tract of land as described by Statutory Warranty Deed to Two G's Real Estate, LLC, recorded February 29, 2008 as Document 2008-017891, Washington County Records, said parcel being that portion of said property included in a strip of land lying southeasterly of the following described proposed centerline of S.W. Main Street.

The location and stationing of the Proposed Centerline of S.W. Main Street is more particularly described as follows:

Beginning at the centerline intersection of S.W. Pacific Highway, State Highway 99 West, and S.W. Main Street, being station 0+00, from which a 2-1/2" Brass Disk set in concrete, designated as Geodetic Control Station CG 022-071, bears South 62°36'24" West, 2440.19 feet. Said point is located north of the intersection of SW Grant Street and SW Grant Court and lies in the northeast curb of SW Grant Court, between 13045 SW Grant Street and 10395 SW Grant Court, in Section 2, Township 2 South, Range 1 West, W.M., City of Tigard, Washington County, Oregon.

Thence South 60°04'13"East, along the proposed centerline of S.W. Main Street, 40.14 feet to station 0+40.14, and the beginning of 127.50 radius curve to the left, having a central angle of 83°20'36";

Thence continuing along said proposed centerline and along the arc of said curve to the left (the long chord of which bears North 78°15'28" East, 169.54 feet) 185.46 feet to station 2+25.61;

Thence North 36°35'10" East, along the proposed centerline of S.W Main Street, 3.75 feet to station 2+29.35 and the beginning of a 110.00 foot radius curve to the right, having a central angle of 22°59'19";

Thence continuing along said proposed centerline and the arc of said curve to the right (the long chord of which bears North 48°04'50" East, 43.84 feet) 44.14 feet to station 2+73.49;

Thence leaving said curve and continuing along the proposed centerline of S.W. Main Street North 59°34'29" East, 645.35 feet to the intersection with the centerline of S.W. Burnham Street at station 9+18.84;

Thence continuing along said line North 59°34'29" East, 84.13 feet to the intersection with the centerline of S.W. Burnham Street at station 10+02.97;

Thence continuing along said line, North 59°34'29" East, 42.66 feet to an angle point at station 10+45.62;

Thence North 55°18'33" East, along said proposed centerline of S.W. Main Street, 85.79 feet to station 11+31.41 and the beginning of a 800.00 foot radius curve to the left, having a central angle of 02°22'38";

Thence continuing along said proposed centerline and the arc of said curve to the left (the long chord of which bears North 54°07'14" East, 33.19 feet) 33.19 feet to the intersection with the centerline of S.W. Electric Street at station 11+64.60;

Thence continuing along said 800.00 foot radius curve to the left, having a central angle of 02°22'47" (the long chord of which bears North 51°44'32" East, 33.22 feet) 33.23 feet to station 11+97.83;

Thence leaving said curve and continuing along the proposed centerline of S.W. Main Street North 50°33'09" East, 130.44 feet to the intersection with the centerline S.W. Tigard Street at Station 13+28.27;

Thence continuing along said line North 50°33'09" East, 101 feet, more or less to the centerline of Burlington Northern Railroad, per Partition Plat No. 1996-026 at approximate station 14+29, and the terminus of said herein described proposed centerline, from which, said Geodetic Control Station GC 022-071 bears South 61°56'29" West, 3819.13 feet.

The **Basis of Bearings** for this description is the state plane bearing between the published coordinates of Geodetic Control Stations GC 022-071 and GC 022-065, Washington County Survey Records, as North 42°03'27" East. Published coordinates of said GC 022-071 were held with an overall project combined scale factor of 1.000099592 to match ground measurements.

The width of said strip with reference to the above described centerline is as follows:

Station	to	**Station**	Width on **Southeasterly** side of Centerline
5+00		5+50.00	35.00 feet

EXCEPTING therefrom that portion lying within the existing right-of-way of S.W. Main Street.

The parcel of land to which this description applies contains 98 square feet more or less.

PARCEL 2 – TEMPORARY CONSTRUCTION EASEMENT

A parcel of land located in the Northeast One-Quarter of Section 2, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon, and being a portion of that tract of land as described by Statutory Warranty Deed to Two G's Real Estate, LLC, recorded February 29, 2008 as Document 2008-017891, Washington County Records, said parcel being that portion of said property included in a strip of land lying southeasterly of the aforementioned described proposed centerline of S.W. Main Street.

Station	to	**Station**	Width on **Southeasterly** side of Centerline
4+00		4+78.89	45.00 feet

EXCEPTING therefrom that portion of said property lying within the existing right of way of S.W. Main Street.

The Parcel of land to which this description applies contains 322 square feet more or less.

The stationing used to describe this parcel is based on the Proposed Centerline of S.W. Main Street described herein, being more particularly described in Parcel 1.

See attached Exhibit "B" hereby incorporated by reference.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

12-31-13

Exhibit B-Property 6

EXHIBIT "B"

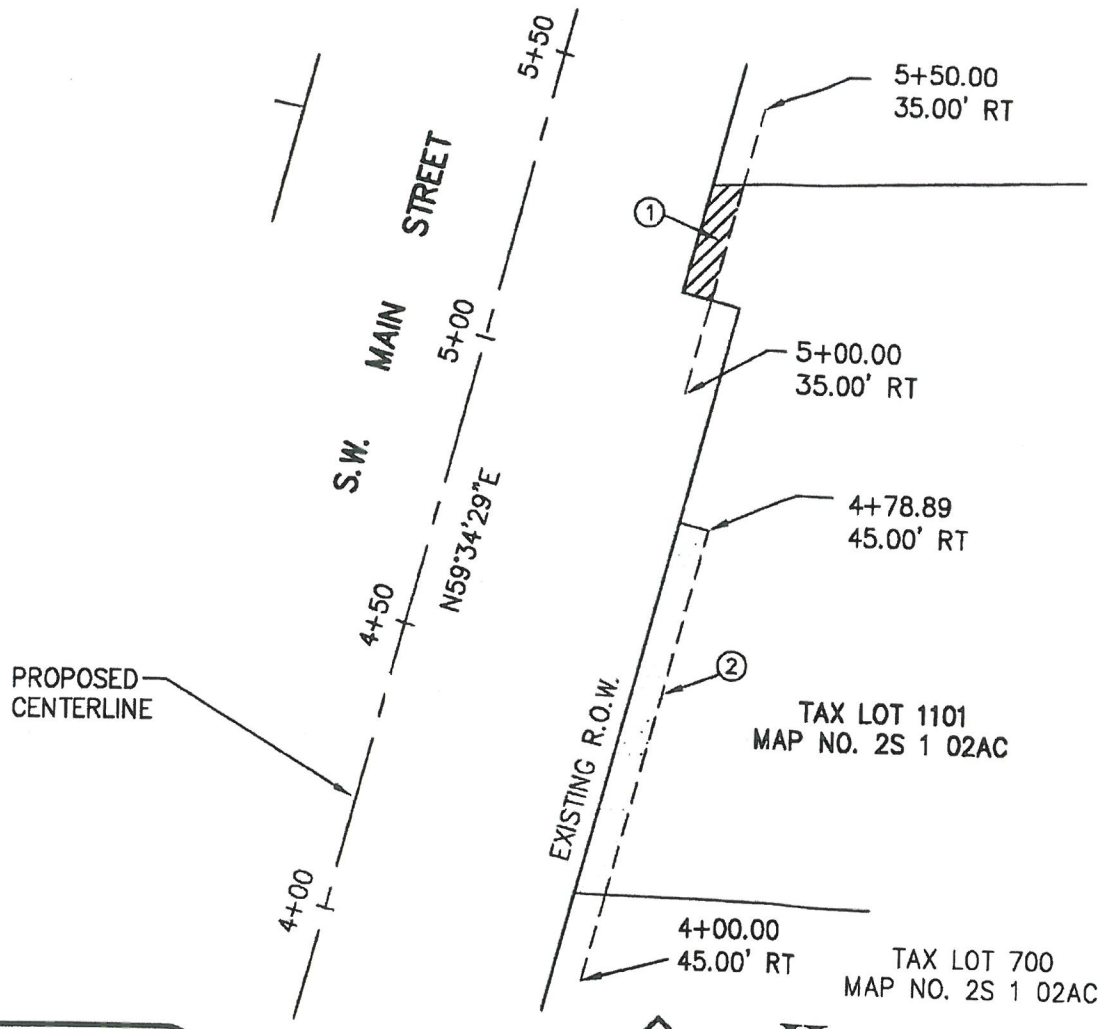
PAGE 1 OF 1
DECEMBER 3, 2012
PROPERTY NO. 6

LEGEND

① PERMANENT R.O.W. EASEMENT FOR ROAD PURPOSES ± 98 SQ.FT.

② TEMPORARY CONSTRUCTION EASEMENT FOR ROAD PURPOSES ± 322 SQ.FT.

SCALE
1" = 30'



REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXP. 12-31-13

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