

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF AUTHORIZING THE)
CHIEF OPERATING OFFICER TO GRANT AN)
EASEMENT FOR NON-PARK USE TO THE)
CITY OF TIGARD AT BROWN NATURAL)
AREA

RESOLUTION NO. 19-5006

Introduced by Acting Chief Operating Officer
Andrew Scott in concurrence with Council
President Lynn Peterson

WHEREAS, with funds provided by the Metro Open Spaces, Parks and Streams 1995 Ballot Measure 26-26, on June 15, 1999, Metro purchased approximately 11.37 acres of real property in the Fanno Creek Greenway Target Area and within the City of Tigard boundaries, now known as the “Brown Natural Area;” and

WHEREAS, pursuant to an Intergovernmental Agreement and its amendments dated September 12, 2000 and March 8, 2013, Metro and the City of Tigard share management of the Brown Natural Area; and

WHEREAS, the City of Tigard requests (a) a permanent easement across the easternmost portion of The Brown Natural Area for the maintenance and repair of an underground water pipeline, which will connect two existing dead-end water lines located to the north and south of the Brown Natural Area, and (b) a temporary construction easement for access to complete installation activities; and

WHEREAS, Metro Parks and Nature Department staff have evaluated this easement request according to the criteria set forth in Metro Council Resolution No. 97-2539B, “For the Purpose of Approving General Policies Related to the Review of Easements, Right of Ways, and Leases for Non-Park Uses Through Properties Managed by the Regional Parks and Greenspaces Department,” adopted on November 6, 1997 (the “Easement Policy”), as further set forth in Attachment 1 to the Staff Report for this Resolution; and

WHEREAS, staff has determined that the easement can be accommodated with minimal impact to natural resources, cultural resources, recreational resources, recreational facilities, and recreational opportunities, and to their operation and management, at the Brown Natural Area, and staff therefore recommends approval of the easement request; and

WHEREAS, the Easement Policy and the Metro Code requires review of all easement requests by the Metro Council; now therefore,

BE IT RESOLVED that the Metro Council hereby authorizes the Chief Operating Officer to grant a permanent water line easement and a temporary construction easement to the City of Tigard in the location described on Exhibit A and depicted on Exhibit B to this Resolution, on terms approved by the Office of Metro Attorney.

ADOPTED by the Metro Council this 5th day of December, 2019.

Sam Chase, Deputy Council President

Approved as to Form:

Carrie MacLaren, Metro Attorney

Exhibit A

Waterline Easement Description

A strip of land 15.00 feet in width (offset 7.50 feet on both sides of the following described centerline), located in the Southwest One-Quarter of Section 1 and in the Northwest One-Quarter of Section 12, Township 2 South, Range 1 West, Willamette Meridian, City of Tigard, Washington County, Oregon, and the centerline being more particularly described as follows:

Commencing at the southeasterly corner of Tract A of the plat "Bonita Industrial Park", Washington County Plat Records, also being on the northerly right-of-way line of SW Milton Court (55.00 feet from centerline); thence along said northerly right-of-way line on a curve to the left with a Radius of 55.00 feet, a Delta of $13^{\circ}42'41''$, a Length of 13.16 feet, and a Chord of South $64^{\circ}43'49''$ West 13.13 feet to the Point of Beginning; thence leaving said northerly right-of-way line, North $23^{\circ}10'16''$ West 182.20 feet; thence along a curve to the right with a Radius of 500.00 feet, a Delta of $16^{\circ}47'24''$, a Length of 146.52 feet, and a Chord of North $14^{\circ}46'34''$ West 146.00 feet; thence North $06^{\circ}22'52''$ West 43.73 feet; thence North $49^{\circ}52'08''$ East 12.81 feet to the southwesterly right-of-way line of Burlington Northern Railroad (50.00 feet in width) and the Point of Terminus.

The sidelines of the above described strip of land shall be extended and shortened to terminate at said northerly right-of-way line of SW Milton Court and said southwesterly right-of-way line of Burlington Northern Railroad.

The above described tract of land contains 5,781 square feet, more or less.

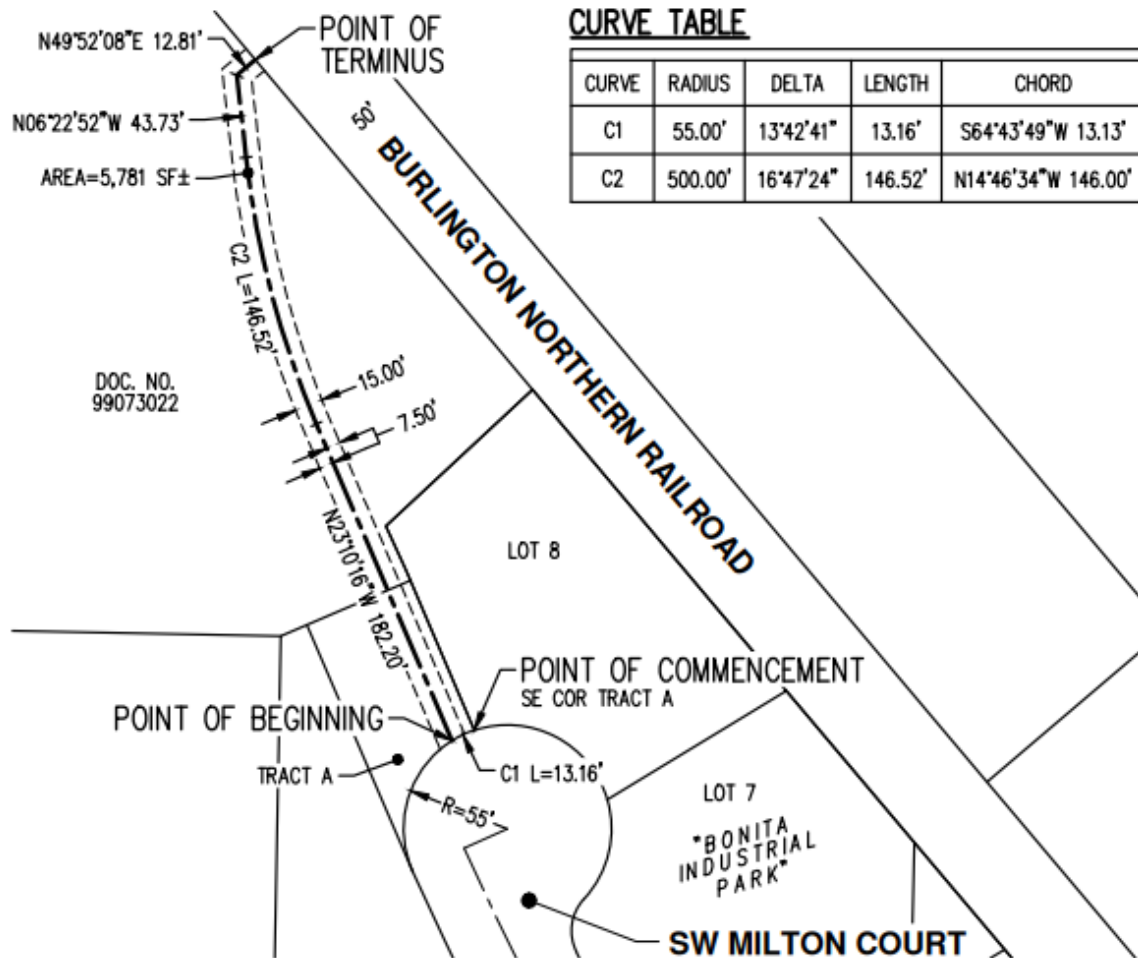
9/23/2019



Exhibit B

EXHIBIT B

A STRIP OF LAND 15.00 FEET IN WIDTH,
LOCATED IN THE SOUTHWEST 1/4 OF SECTION 1 AND
IN THE NORTHWEST 1/4 OF SECTION 12,
TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN,
CITY OF TIGARD, WASHINGTON COUNTY, OREGON



CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	55.00'	13°42'41"	13.16'	S64°43'49"W 13.13'
C2	500.00'	16°47'24"	146.52'	N14°46'34"W 146.00'

9/23/2019

**REGISTERED
PROFESSIONAL
LAND SURVEYOR**

Nick White

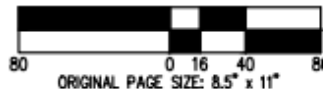
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/20

PREPARED FOR

CITY OF TIGARD
13125 SW HALL BOULEVARD
TIGARD, OR 97223

SCALE: 1" = 80 FEET



WATERLINE EASEMENT MAP

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM

AKS

EXHIBIT
B

DRWN: WCB
CHKD: NSW
AKS JOB:
5703-05

DWG: 5703-05 20190923 EXB | EXB