

RESOLUTION NO. 1326

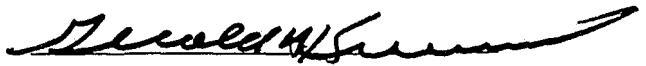
A RESOLUTION ACCEPTING A SIDEWALK EASEMENT ASSOCIATED WITH THE CONSTRUCTION OF THE PUBLIC IMPROVEMENTS FOR LOCAL IMPROVEMENT DISTRICT NO. 12-95-ST, CANYON CREEK ROAD NORTH, FROM MENTOR GRAPHICS CORPORATION.

WHEREAS, Resolution No. 1264, a resolution authorizing the City of Wilsonville to negotiate and acquire land for the construction of public improvements associated with Local Improvement District No. 12-95-ST, Canyon Creek Road North, authorized the acquisition of certain property and property interests.

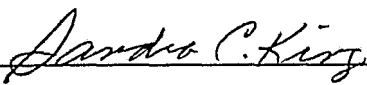
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The sidewalk easement, a copy of which is marked "Exhibit 1", attached hereto and incorporated herein, is hereby accepted by the City of Wilsonville.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 21st day of October, 1996, and filed with the Wilsonville City Recorder this date.


GERALD A. KRUMMEL, Mayor

ATTEST:


Sandra C. King, City Recorder

SUMMARY of Votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Yes
Councilor MacDonald	Yes

SIDEWALK EASEMENT
Grantor - Corporation

KNOW ALL MEN BY THESE PRESENTS, that Mentor Graphics Corporation, hereinafter referred to as "Grantor", for the consideration hereinafter stated, does hereby grant and convey unto the CITY OF WILSONVILLE, a municipal corporation, hereinafter referred to as "Grantee", a right-of-way and easement for sidewalk over and across the following described real property, to-wit:

SEE EXHIBIT "A" and locational map attached hereto, and incorporated by reference as if fully set forth herein.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 0.

However, the actual consideration consists of or includes other property or value given or promised which is (the whole/part of the) consideration (indicate which). (If not applicable, the sentence between the symbols * should be deleted. See ORS 93.030.)

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

- (1) The Grantee, thorough its officers, employees and agents, shall have the right to enter upon said lands in such a manner and at such times from this date as may be reasonably necessary for the purpose of constructing, building, patrolling, replacing and maintaining thereon a public sidewalk along said right-of-way for the use of the public, including such renewals, repairs, replacements and removals as may be from time to time required. Said right shall be perpetual for so long as Grantee shall operate or cause to be operated a sidewalk for public use as herein provided.
- (2) Immediately after any construction or repair of said sidewalk the surface of the ground shall be restored equal to its original condition so that the Grantor and its successors and/or assigns shall have the free and unobstructed use thereof, subject to rights of Grantee herein provided.
- (3) Grantee will make no unreasonable interference with such use of the surface of said land by Grantor and its successors and/or assigns.
- (4) Grantor and its successors and/or assigns will not be responsible for damage by others to said sidewalk.
- (5) Grantee will indemnify and hold harmless the Grantor, its successors and/or assigns from claims or 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 easement for sidewalk.

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 LOSS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF, the undersigned grantor has executed this easement, this 15th day of August, 1996.

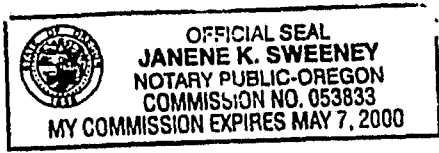
GRANTOR(S): MENTOR GRAPHICS CORPORATION
(Name of Corporation)

By: Dean Freed
(Name of Duly Authorized Representative)
V.P. & General Counsel
Title

STATE OF OREGON }
County of Clackamas } ss

On this 15 day of August, 1996, before me, a notary public in and for said County and State, personally appeared Dean Freed known to me to be the person whose name he subscribed to the within instrument and acknowledged that he 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.



Janene K. Sweeney
NOTARY PUBLIC FOR OREGON
My Commission Expires: May 7, 2000

APPROVED AS TO FORM

this 9 day of October 1996.

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

APPROVED AS TO LEGAL DESCRIPTION

this 21st 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 21 day of OCTOBER 1996.

Gerald A. Krummel
Gerald A. Krummel, Mayor

ATTESTED TO:

Sandra C. King
Sandra C. King, City Recorder

October 24, 1996
Date:



DAVID EVANS AND ASSOCIATES, INC.

EXHIBIT A

2828 SW Corbett Avenue

Portland, Oregon 97201

Tel: 503.223.6663

Fax: 503.223.2701

WILX0011
L.I.D. No. 12-95-ST
Canyon Creek Road North
City of Wilsonville, Oregon
GRA, DEA Inc. 4-8-96
ERC, DEA Inc. 7-8-96
Amended 7-8-96

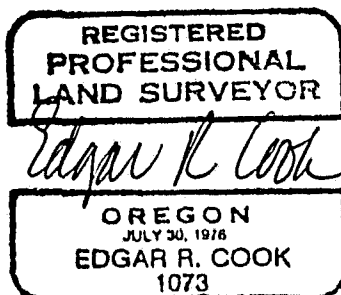
Mentor Graphics Corp.
8005 S.W. Boeckman Rd.
Wilsonville, OR 97070
Clackamas County
Document No. 88-52581
3S-1W-12-501

PARCEL 1 Permanent Sidewalk 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 Mentor Graphics Corp., recorded December 16, 1988 as Document No. 88-52581, Clackamas County Book of Records; the said parcel of land being more particularly described as follows:

A strip of land 3.00 foot wide lying along the Easterly line of said property. Said strip being westerly of and adjacent to that parcel of land dedicated for public street by Clackamas County Deed Document No. 92-03300.

The parcel of land to which this description applies contains 0.078 acres, or 3,145 square feet, more or less.



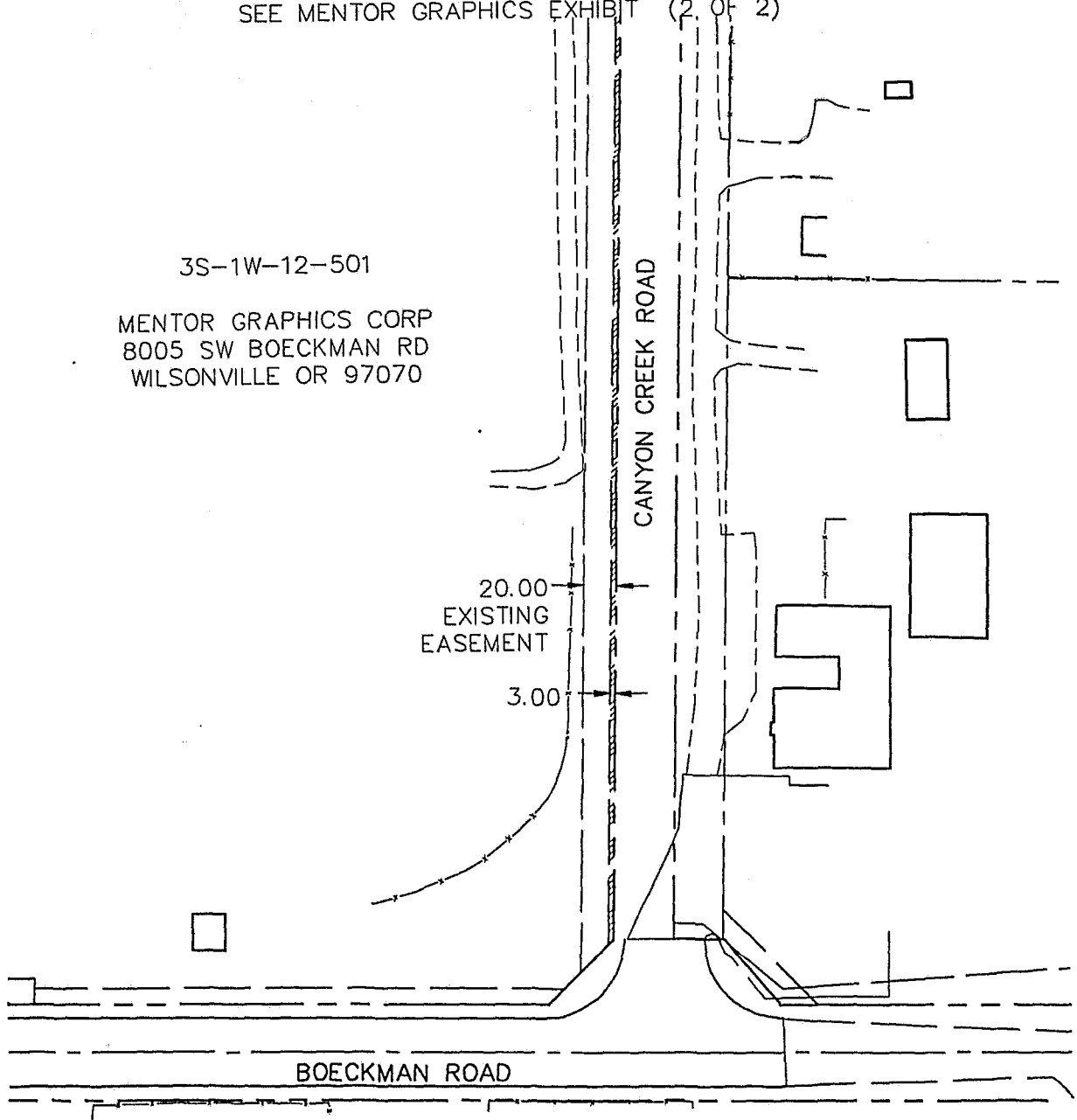
ERC, DEA Inc.
7-8-96

ERC:kyg\o:\project\w\wilx0011\mentor.leg

SEE MENTOR GRAPHICS EXHIBIT (2 OF 2)

3S-1W-12-501

MENTOR GRAPHICS CORP
8005 SW BOECKMAN RD
WILSONVILLE OR 97070



PERMANENT SIDEWALK
EASEMENT 0.078 ACRE



DAVID EVANS AND ASSOCIATES, INC.
ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
2000 S.W. COMBETT AVENUE PORTLAND, OR 97201 (503) 253-6463

PROJECT

CANYON CREEK ROAD NORTH

TITLE

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

MENTOR GRAPHICS EXHIBIT

JOB NO.

WJLX 0011

DRAWN BY

TAS

DESIGN BY

ERC

SCALE

1" = 100'

DATE

7-8-96

1
OF
2

3S-1W-12-501
 MENTOR GRAPHICS CORP
 8005 SW BOECKMAN RD
 WILSONVILLE OR 97070

20.00
 EXISTING
 EASEMENT

3.00

CANYON CREEK ROAD

SEE MENTOR GRAPHICS EXHIBIT (1 OF 2)



PERMANENT SIDEWALK
 EASEMENT



DAVID EVANS AND ASSOCIATES, INC.
 ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
 1034 SW CRANNEY AVENUE PORTLAND, OR 97201 (503)253-1400

PROJECT

CANYON CREEK ROAD NORTH

TITLE

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

MENTOR GRAPHICS EXHIBIT

JOB NO.

WILX 0011

DRAWN BY

TAS

DESIGN BY

GRA

SCALE

1" = 100'

DATE

4-8-96

2
 OF
 2