

MEMORANDUM

TO: Mayor and City Council

FROM: Howard P. Schesser, Community Development Director

SUBJECT: CONSENT AGENDA – APPROVAL OF 32 SQUARE FOOT PUBLIC ACCESS EASEMENT AT THE NORTHEAST CORNER OF THE FIRE DEPARTMENT PROPERTY RELATED TO RIVERWALK VILLAGE DEVELOPMENT

DATE: May 18, 2016

Background

The 32 unit Riverwalk Village development located at the southeast corner of Harrison Ave and Hwy 99 adjacent to the Fire Department is required to construct ADA Handicap ramps where their access and egress enters Harrison Ave. In order to align with 3rd Avenue across Harrison Ave and be as far away from Hwy 99 a public access easement is required for the ADA ramp from South Lane County Fire & Rescue District. The easement will be 32 square feet in size. The District will grant the easement to the City so we have control over the sidewalk and ramp in the future. An 85 square foot temporary construction easement will be granted by the District to Hayden Homes and their contractors in order to construct the ADA ramp and sidewalk. Council approval is required in order to record the easement.

A map showing the location of the easement is attached for your information.

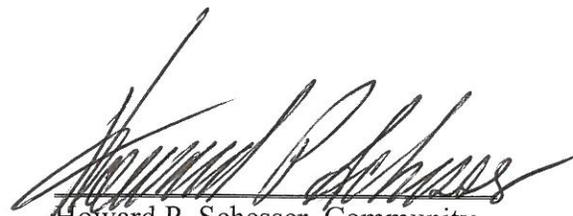
Recommendation

That Council approve of the Public Access Easement.

Cost

Recording Cost


Richard Meyers, City Manager


Howard P. Schesser, Community
Development Director

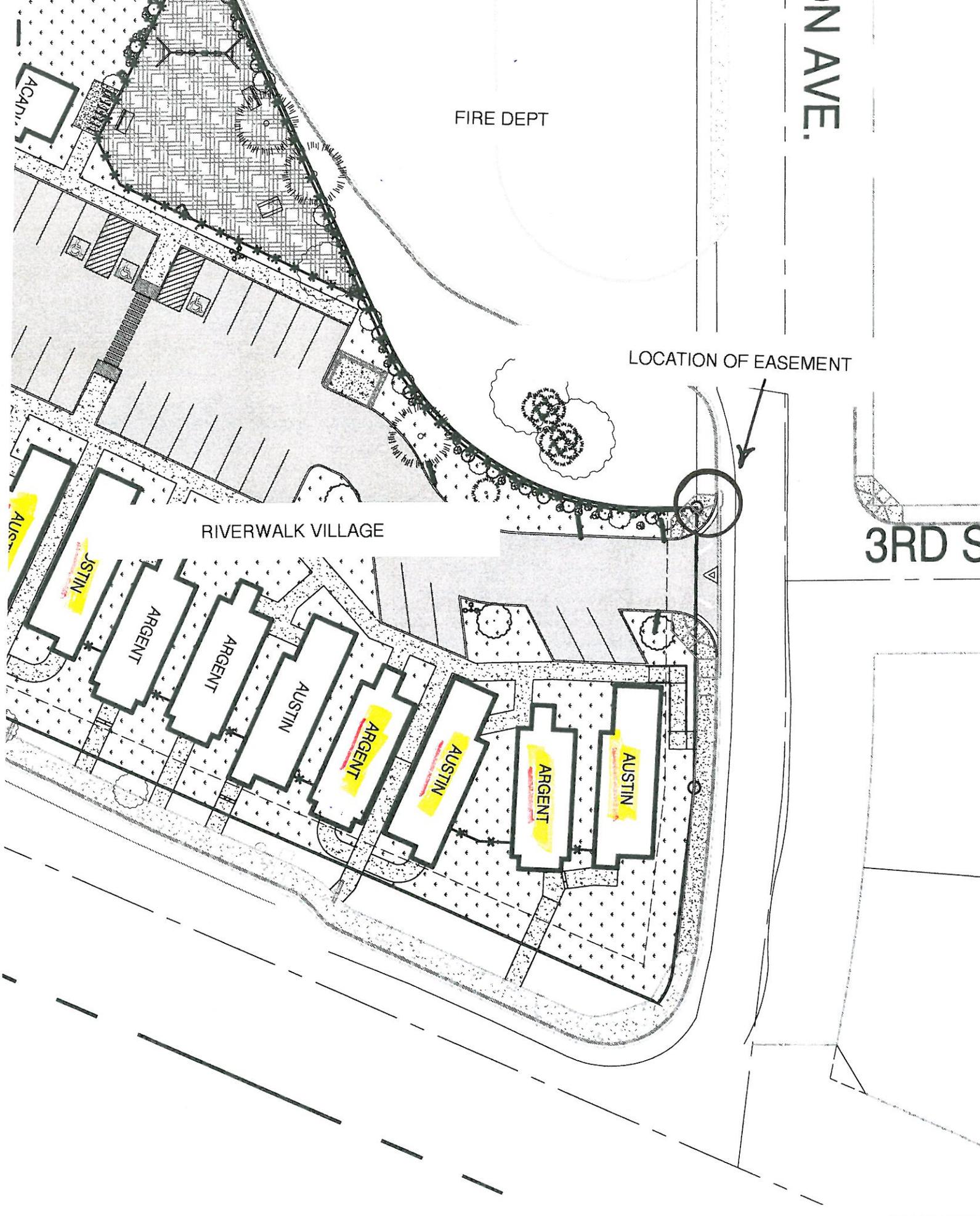
IN AVE.

FIRE DEPT

LOCATION OF EASEMENT

3RD S

RIVERWALK VILLAGE



DRAWING STATUS:	DATE:	No.	REVISION:	
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After recording return to:

South Lane County Fire and Rescue District
233 Harrison Ave.
Cottage Grove, Oregon 97424

PUBLIC ACCESS EASEMENT
Assessors Map 20-03-33-23, Tax Lot 104

SOUTH LANE COUNTY FIRE AND RESCUE DISTRICT, an Special District of the State of Oregon (Grantor) does hereby give and grant unto the CITY OF COTTAGE GROVE, an Municipal Corporation of the State of Oregon (Grantee) an exclusive easement for Public Access, for an ADA ramp and associated sidewalk to be constructed and located in and over the surface of the following described real property described in Exhibit A. The public access easement is shown in Exhibit B.

The true consideration for this conveyance is other value given and acknowledged.

The Grantee shall have the right to enter the easement for the purpose of permanently maintaining the public access easement and to repair or renovate the public access easement. Grantor and Grantee intend that this easement runs with the land and binds Grantor, his or her heirs, successors and assigns. This easement will not be considered abandoned until Grantee has declared the easement abandoned and not longer in use by Grantee.

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.

SOUTH LANE COUNTY FIRE AND RESCUE DISTRICT

DATED: May _____, 2016.

Signature

John Wooten
Name

Fire Chief
Title

STATE OF OREGON)
)ss.
County of Lane)

This instrument was acknowledged before me on the _____ day of May, 2016 by John Wooten as Fire Chief of the South Lane County Fire and Rescue District.

Notary Public for Oregon

Acceptance

Public Access Easement in real property accepted by the Cottage Grove City Council and approved for recording at its regular meeting on the 23rd of day of May, 2016.

By: _____

Richard Meyers

Title: City Manager

ATTEST:

Trudy Borrevik, City Recorder

Exhibit "A"

Public Access Easement

Located in the Northwest One-Quarter of Section 33, Township 20 South, Range 3 West, Willamette Meridian, City of Cottage Grove, Lane County, Oregon, being more particularly described as follows:

BEGINNING at the Northeast corner of Parcel 1, Land Partition Plat 2011-P2504 Record of the Lane County Surveyor, being a 5/8" iron rod with a yellow plastic cap marked "POAGE ENGR INC."; thence along the north line of said Land Partition Plat 2011-P2504 South 89°55'24" West 8.00 feet; thence leaving said north line South 45°03'10" East 11.31 feet to the west line of Land Partition Plat 2016-P2678 Record of the Lane County Surveyor being North 0°01'43" West 6.57 from a 5/8" iron rod with a yellow plastic cap marked "H.A. McCOY 65686LS"; thence along said west line North 0°01'43" West 8.00 feet to the **POINT OF BEGINNING**.

The above described land contains 32 square feet. The basis of bearings is along the North line of the subject property per Land Partition Plat 2011-P2504.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jason L. Simes 4/22/16
OREGON
NOVEMBER 10, 2009
JASON L. SIMES
83256PLS

EXPIRATION DATE: 6-30-2016

EXHIBIT B

PUBLIC ACCESS EASEMENT

LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 20 SOUTH,
RANGE 3 WEST, WILLAMETTE MERIDIAN, CITY OF COTTAGE GROVE,
LANE COUNTY, OREGON.

30.00'

HARRISON AVENUE



PARCEL 1
PARTITION PLAT
2011-P2504

PUBLIC ACCESS
EASEMENT
AREA: 32 SF

S89° 55' 24"W

8.00'

S45° 03' 10"E

8.00'

N0° 01' 43"W

INITIAL POINT
5/8" IRON ROD
WITH A YELLOW
PLASTIC CAP MARKED
"POAGE ENGR SURV INC."

6.57'

5/8" IRON ROD
WITH A YELLOW
PLASTIC CAP MARKED
"H.A. McCOY 65686LS"

PARCEL 1
PARTITION PLAT
2016-92678

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Jason L. Simes 4/22/16

OREGON
NOVEMBER 10, 2009
JASON L. SIMES
83256PLS

EXPIRATION DATE: 6-30-2016

SCALE: 1" = 10'
FOR 8.5"x11" SHEETS



PROJECT: PUBLIC ACCESS EASEMENT

PROJECT NO: 15-17

DESIGN: CA

DATE: 4/22/2016

REV: DETAIL 1

PAGE: EXH. B