

Agenda Report

Date: July 7, 2014

To: John Kovash, Mayor
Members, West Linn City Council

From: Megan Thornton, Assistant City Attorney

Through: Chris Jordan, City Manager *CJ*

Subject: Right of Way Designation

Purpose

The City owns a piece of property that is being utilized as right of way ("ROW"), but the property is not designated as ROW in the real property records. This ordinance would change the designation of Tract C to ROW.

Question(s) for Council:

Does the Council wish to designate Tract C as right of way?

Public Hearing Required:

None required.

Background & Discussion:

Tract C is part of the Teresa's Vineyard Plat ("Plat"). The City executed a statutory bargain and sale deed that was recorded with the Plat on January 12, 2012. The Plat states that Tract C will be used for public pedestrian access, local access, emergency vehicle access, and public lines. Tract C is subject to a private easement for utilities.

Although Tract C is not labeled as ROW, it operates as such. The City maintains the road, and as mentioned previously, it provides public access for transportation purposes and for utilities. Recording Ordinance 1627 will make it clear show that Tract C is ROW.

Budget Impact:

None. The City already owns Tract C and is responsible for maintenance.

Council Options:

1. Move to approve First Reading and set the matter for Second Reading.
2. Move to approve First Reading, and if unanimous, move to approve Second Reading and adopt the ordinance.
3. Postpone consideration of the proposed ordinance.

Staff Recommendation:

Staff recommends adoption of "An Ordinance Designating City Owned Property on the Teresa's Vineyard Plat As Right Of Way."

Potential Motion:

Council: *Move to approve First Reading of “An Ordinance Designating City Owned Property on the Teresa’s Vineyard Plat As Right Of Way,” and set the matter for Second Reading.*

If the motion passes unanimously, the Council may: *Move to approve Second Reading for “An Ordinance Designating City Owned Property on the Teresa’s Vineyard Plat As Right Of Way,” and adopt the ordinance.*

Attachments:

1. Ordinance 1627
2. Teresa’s Vineyard Plat

After Recording, please return to:

City of West Linn
Attn: City Recorder
22500 Salamo Rd
West Linn, OR 97068

Space above this line for use of County Recorder's Office

ORDINANCE NO. 1627

**AN ORDINANCE DESIGNATING CITY OWNED PROPERTY
ON THE TERESA'S VINEYARD PLAT NO. 4339 AS RIGHT OF WAY**

WHEREAS, the City became the owner of Tract C by way of a statutory bargain and sale deed on January 12, 2012;

WHEREAS, Tract C is used for public pedestrian access, local access for vehicles, emergency vehicle access, and public utility lines;

WHEREAS, the City maintains Tract C;

WHEREAS, the plat restrictions do not limit the City's property rights in Tract C, but instead guarantee that certain access rights will be available to properties adjacent to Tract C; and

WHEREAS, designating Tract C as right of way will make the purpose of Tract C transparent to the public.

NOW, THEREFORE, THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

SECTION 1. Designation of Right of Way. Tract C, as depicted on Teresa's Vineyard Plat No. 4339, which is attached and incorporated by this reference, is designated as right of way.

SECTION 2. Severability. The sections, subsections, paragraphs and clauses of this ordinance are severable. The invalidity of one section, subsection, paragraph, or clause shall not affect the validity of the remaining sections, subsections, paragraphs and clauses.

SECTION 3. Effective Date. This ordinance shall take effect on the 30th day after its passage.

The foregoing ordinance was first read by title only in accordance with Chapter VIII, Section 2(C) of the City Charter on the ____ day of _____, 2014, and duly PASSED and ADOPTED this ____ day of _____, 2014.

JOHN KOVASH, MAYOR

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

TERESA'S VINEYARD

BEING A REPLAT OF A PORTION OF LOTS 15 AND 16, BLAND ACRES,
 PLAT NO. 304, LOCATED IN THE NE 1/4 AND THE SE 1/4 SEC. 35, T2S, R1E, W.M.
 CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
 CITY OF WEST LINN FILE NO. SUB-07-02/NDW-07-02/VAR-07-01
 SURVEYED: DECEMBER, 2011

BOOK 142 PAGE 021
 RECORDED AS DOCUMENT No. 2012-1405

PLAT NO. 4339

SHEET INDEX

- SHEET 1 - OVERALL PLAN, SHEET INDEX, LEGEND, NOTES & PLAT RESTRICTIONS AND MONUMENT TABLE
- SHEET 2 - NORTH HALF OF SITE
- SHEET 3 - SOUTH HALF OF SITE
- SHEET 4 - APPROVALS, SURVEYOR'S CERTIFICATE, DECLARATION & ACKNOWLEDGMENTS

NARRATIVE

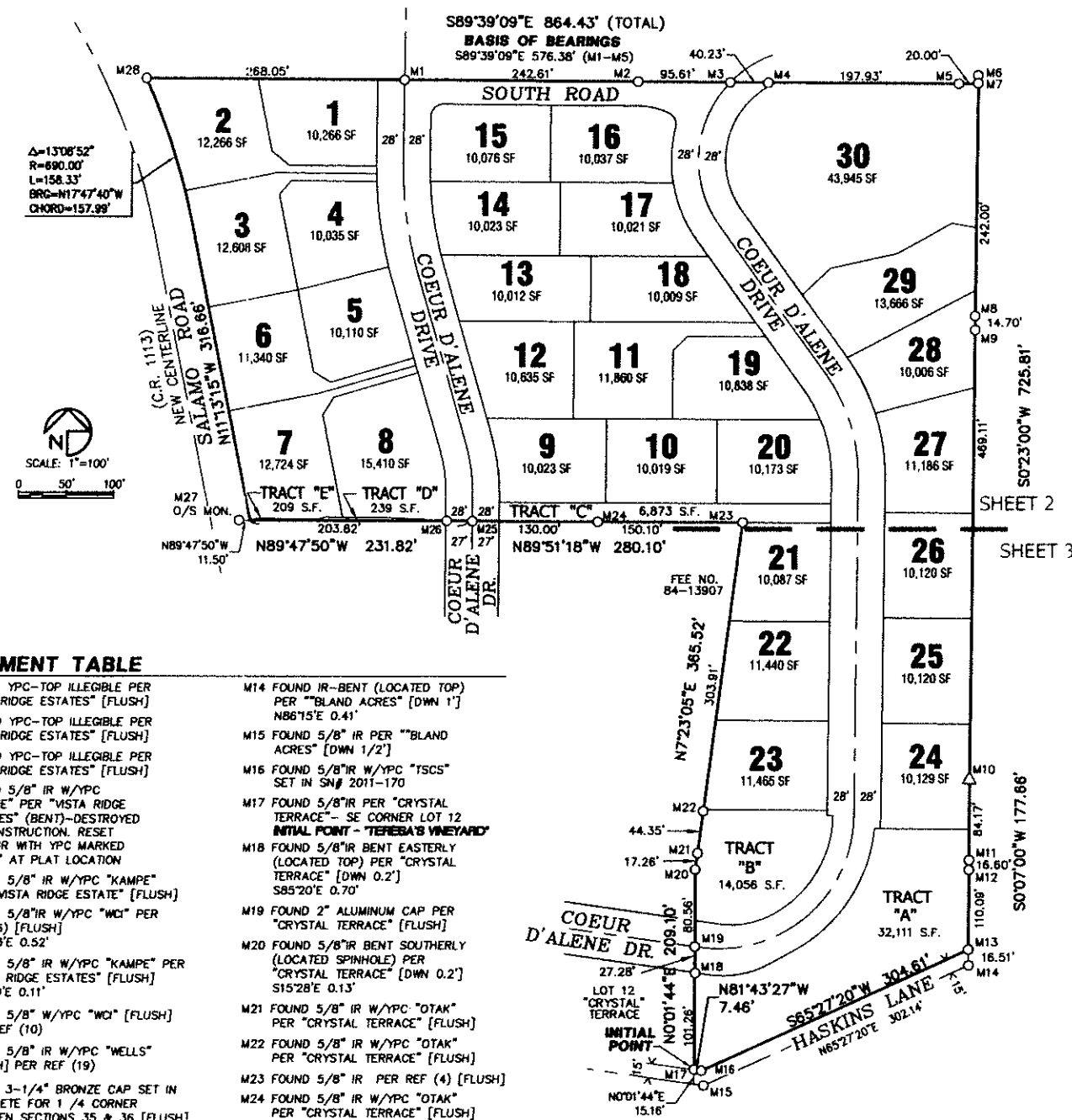
THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THAT TRACT OF LAND DESCRIBED IN DEED DOCUMENTS 95-14166 AND 2011-047083 AS SHOWN IN S.N. 2011-170, CLACKAMAS COUNTY SURVEY RECORDS. BEARINGS ARE BASED ON HOLDING SOUTH 89°39'09" EAST BETWEEN FOUND MONUMENTS M1 AND M5 AS DESCRIBED IN S.N. 2011-170.

NOTES AND PLAT RESTRICTIONS

1. BASIS OF BEARINGS AND BOUNDARY DETERMINATION ARE PER SN#2011-170, CLACKAMAS COUNTY SURVEY RECORDS.
2. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL AS LISTED IN THE WEST LINN FINAL LAND USE DECISION NOTICE SUB-07-02/NDW-07-02/VAR-07-01
3. LOTS 1-29 ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF "TERESA'S VINEYARD" RECORDED UNDER DOCUMENT NO. 2012-001410, CLACKAMAS COUNTY DEED RECORDS.
4. THERE IS AN 8-FOOT PUBLIC UTILITY EASEMENT ON THE FRONT OF ALL LOTS AND TRACTS "A", "B" AND "C" AND ON THE STREET SIDES OF CORNER LOTS AS SHOWN HEREON.
5. TRACTS "A" AND "B" ARE TRACTS FOR THE PURPOSE OF OPEN SPACE AND STORM WATER FACILITIES SUBJECT TO A PUBLIC STORM WATER EASEMENT OVER THEIR ENTIRETY AND ARE CONVEYED TO THE CITY OF WEST LINN PER INSTRUMENT NO. 2012-001411, CLACKAMAS COUNTY DEED RECORDS. SUBJECT TO THE WETLAND DEED RESTRICTION PER INSTRUMENT NO. 2012-001412.
6. TRACT "A" IS SUBJECT TO A 16.5-FOOT PUBLIC SANITARY SEWER EASEMENT ALONG ITS NORTH LINE AND A 16.5-FOOT ACCESS EASEMENT FOR SURVEY PURPOSES ONLY TO ALLOW ACCESS TO THE QUARTER CORNER MONUMENT ON THE EAST LINE OF LOT 24.
7. TRACT "B" IS SUBJECT TO A 10-FOOT PUBLIC UTILITY EASEMENT ALONG ITS NORTH LINE.
8. TRACT "C" IS A TRACT FOR THE PURPOSE OF PUBLIC PEDESTRIAN ACCESS, LOCAL ACCESS TO LOTS 10 AND 20, EMERGENCY VEHICULAR ACCESS, AND A PUBLIC WATER LINE OVER ITS ENTIRETY AND IS GRANTED TO THE CITY OF WEST LINN PER INSTRUMENT NO. 2012-001411, CLACKAMAS COUNTY DEED RECORDS. TRACT "C" IS SUBJECT TO THE 8-FOOT PRIVATE UTILITY EASEMENT FOR THE BENEFIT OF LOTS 10 AND 20 FOR THE PURPOSE OF SANITARY SEWER, WATER LINE AND STORM DRAINAGE AS SHOWN HEREON.
9. TRACT "C" WILL PROVIDE ACCESS TO A MAXIMUM OF TWO FUTURE LOTS IN THE ADJOINING PARCEL TO THE SOUTH DESCRIBED IN FEE NO. 84-13907.
10. TRACT "D" IS A PRIVATE TRACT AND IS CONVEYED TO THE OWNER OF LOT 2 "CRYSTAL TERRACE" PER INSTRUMENT NO. 2012-001413, CLACKAMAS COUNTY DEED RECORDS. TRACT "D" IS NOT SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS REFERENCED PER NOTE #3. TRACT "D" IS SUBJECT TO A PUBLIC STORM EASEMENT OVER ITS ENTIRETY AS SHOWN HEREON. EASEMENT DOCUMENT NO.2011-54002 IS EXTINGUISHED BY MERGER UPON THE CONVEYANCE OF THE TRACT ABOVE.
11. TRACT "E" IS A PRIVATE TRACT AND IS CONVEYED TO THE OWNER OF LOT 1 "CRYSTAL TERRACE" PER INSTRUMENT NO. 2012-001414, CLACKAMAS COUNTY DEED RECORDS. TRACT "E" IS NOT SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS REFERENCED PER NOTE #3. TRACT "E" IS SUBJECT TO A PUBLIC STORM EASEMENT OVER ITS ENTIRETY AS SHOWN HEREON. EASEMENT DOCUMENT NO.2011-54001 IS EXTINGUISHED BY MERGER UPON THE CONVEYANCE OF THE TRACT ABOVE.
12. LOT 2 IS SUBJECT TO A PRIVATE SANITARY SEWER EASEMENT FOR THE BENEFIT OF LOT 3 AS SHOWN HEREON. MAINTENANCE OF THE SANITARY LINE IS THE RESPONSIBILITY OF THE OWNER OF LOT 3. THAT PORTION OF THE GROUND SURFACE OF LOT 2 SUBJECT TO THE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF LOT 2.
13. LOTS 2 AND 3 ARE SUBJECT TO A RECIPROCAL DRIVEWAY ACCESS EASEMENT AS SHOWN HEREON AND DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS REFERENCED PER NOTE #3.
14. LOTS 2, 3, 6 AND 7 ARE SUBJECT TO A 1-FOOT PUBLIC SIDEWALK EASEMENT AS SHOWN HEREON TO SERVE SALAMO ROAD.
15. LOTS 2, 3, 4, 5 AND 6 ARE SUBJECT TO A WALL EASEMENT AND MAINTENANCE CONDITIONS AS DESCRIBED IN THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR TERESA'S VINEYARD AND AS SHOWN HEREON.
16. LOT 3 IS SUBJECT TO A PRIVATE STORM DRAINAGE EASEMENT FOR THE BENEFIT OF LOT 2 AS SHOWN HEREON. MAINTENANCE OF THE STORM DRAIN LINE IS THE RESPONSIBILITY OF THE OWNER OF LOT 2. THAT PORTION OF THE GROUND SURFACE OF LOT 3 SUBJECT TO THE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF LOT 3.
17. LOTS 3, 6, 7 AND 8 ARE SUBJECT TO A PUBLIC STORM DRAINAGE EASEMENT AS SHOWN HEREON. THAT PORTION OF THE GROUND SURFACE SUBJECT TO THE EASEMENT SHALL BE MAINTAINED BY THE OWNERS OF SAID LOTS. NO PERMANENT STRUCTURES SHALL BE ERRECTED WITHIN THE EASEMENT SO AS NOT TO INTERFERE WITH THE PUBLIC OPERATIONS AND MAINTENANCE OF THE STORM SEWER SYSTEM.
18. LOTS 5, 6, 7 AND 8 ARE SUBJECT TO A PRIVATE STORM DRAINAGE EASEMENT AS SHOWN HEREON FOR THE BENEFIT OF TERESA'S VINEYARD HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF CONVEYING RETAINING WALL DRAINAGE TO A PUBLIC STORM DRAINAGE SYSTEM.
19. LOTS 6 AND 7 ARE SUBJECT TO A RECIPROCAL DRIVEWAY ACCESS EASEMENT AS SHOWN HEREON AND DESCRIBED IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS REFERENCED PER NOTE #3.
20. LOTS 10 AND 20 ARE SUBJECT TO AN 8-FOOT PUBLIC UTILITY EASEMENT AS SHOWN HEREON.
21. LOT 12 IS SUBJECT TO A 10-FOOT PRIVATE SANITARY SEWER AND STORM DRAINAGE EASEMENT AS SHOWN HEREON FOR THE BENEFIT OF LOT 11. MAINTENANCE OF THE SANITARY AND STORM LINES IS THE RESPONSIBILITY OF THE OWNER OF LOT 11. THAT PORTION OF THE GROUND SURFACE OF LOT 12 SUBJECT TO THE EASEMENT SHALL BE MAINTAINED BY THE OWNER OF LOT 12.
22. LOTS 15, 16, 29 AND 30 ARE SUBJECT TO A PUBLIC SIDEWALK EASEMENT AS SHOWN HEREON.
23. LOTS 21 AND 22 ARE SUBJECT TO AN 8-FOOT PUBLIC UTILITY EASEMENT AS SHOWN HEREON.
24. LOTS 22 AND 23 ARE SUBJECT TO A 20-FOOT ACCESS EASEMENT AND JOINT MAINTENANCE AGREEMENT PER INSTRUMENT NO. 2012-001415, CLACKAMAS COUNTY DEED RECORDS. THE ACCESS EASEMENT WILL PROVIDE ACCESS FOR THE ADJOINING PARCEL TO THE WEST DESCRIBED IN FEE NO. 84-13907, OR A MAXIMUM OF TWO LOTS IF SAID ADJOINING PARCEL TO THE WEST IS DEVELOPED. LOTS 22 AND 23 ARE ALSO SUBJECT TO A 15-FOOT PUBLIC SANITARY SEWER EASEMENT AS SHOWN HEREON.
25. LOT 22 IS SUBJECT TO A 4.5-FOOT PRIVATE WATER LINE EASEMENT FOR THE BENEFIT OF THE PARCEL DESCRIBED IN FEE NO. 84-13907 AND A PUBLIC UTILITY EASEMENT AS SHOWN HEREON.
26. LOT 24 IS SUBJECT TO AN 8-FOOT ACCESS EASEMENT AS SHOWN HEREON. ACCESS ON TO LOT 24 FOR SURVEY PURPOSES SHALL BE ALLOWED AT ALL TIMES, PURSUANT TO O.R.S. 672.047. THE QUARTER CORNER MONUMENT AND ITS ACCESSORIES ARE PUBLIC LAND SURVEY MONUMENTS THAT SHALL BE PROTECTED AND PRESERVED AT ALL TIMES.
27. THERE SHALL BE NO VEHICULAR ACCESS TO SALAMO ROAD FROM LOTS 2, 3, 6 AND 7.
28. SEE SHEET 4 FOR LISTING OF RELEASES OF EXISTING EASEMENTS AND EASEMENTS DEFINED IN THE COVENANTS, CONDITIONS & RESTRICTIONS REFERENCE IN NOTE #3.

MONUMENT TABLE

M1 FOUND YPC-TOP ILLIGIBLE PER "VISTA RIDGE ESTATES" [FLUSH]	M14 FOUND IR-BENT (LOCATED TOP) PER "BLAND ACRES" [DWN 1'] N86°15'E 0.41'
M2 FOUND YPC-TOP ILLIGIBLE PER "VISTA RIDGE ESTATES" [FLUSH]	M15 FOUND 5/8" IR PER "BLAND ACRES" [DWN 1/2']
M3 FOUND YPC-TOP ILLIGIBLE PER "VISTA RIDGE ESTATES" [FLUSH]	M16 FOUND 5/8" IR W/YPC "TSCS" SET IN SN# 2011-170
M4 FOUND 5/8" IR W/YPC "KAMPE" PER "VISTA RIDGE ESTATES" (BENT)-DESTROYED IN CONSTRUCTION. RESET 5/8" IR WITH YPC MARKED "TSCS" AT PLAT LOCATION	M17 FOUND 5/8" IR PER "CRYSTAL TERRACE"- SE CORNER LOT 12 INITIAL POINT - "TERESA'S VINEYARD"
M5 FOUND 5/8" IR W/YPC "KAMPE" PER "VISTA RIDGE ESTATE" [FLUSH]	M18 FOUND 5/8" IR BENT EASTERLY (LOCATED TOP) PER "CRYSTAL TERRACE" [DWN 0.2'] S85°20'E 0.70'
M6 FOUND 5/8" IR W/YPC "WCI" PER REF (8) [FLUSH]	M19 FOUND 2" ALUMINUM CAP PER "CRYSTAL TERRACE" [FLUSH]
M7 FOUND 5/8" IR W/YPC "KAMPE" PER "VISTA RIDGE ESTATES" [FLUSH]	M20 FOUND 5/8" IR BENT SOUTHERLY (LOCATED SPINHOLE) PER "CRYSTAL TERRACE" [DWN 0.2'] S15°28'E 0.13'
M8 FOUND 5/8" W/YPC "WCI" [FLUSH] PER REF (10)	M21 FOUND 5/8" IR W/YPC "OTAK" PER "CRYSTAL TERRACE" [FLUSH]
M9 FOUND 5/8" IR W/YPC "WELLS" [FLUSH] PER REF (19)	M22 FOUND 5/8" IR W/YPC "OTAK" PER "CRYSTAL TERRACE" [FLUSH]
M10 FOUND 3-1/4" BRONZE CAP SET IN CONCRETE FOR 1/4 CORNER BETWEEN SECTIONS 35 & 36 [FLUSH] PER USBT 2007-091 AND REF (14)	M23 FOUND 5/8" IR PER REF (4) [FLUSH]
M11 FOUND 5/8" IR W/YPC "WELLS" PER "BARRINGTON HEIGHTS IV" [UP 1/2'] N73°14'E 0.20'	M24 FOUND 5/8" IR W/YPC "OTAK" PER "CRYSTAL TERRACE" [FLUSH]
M12 FOUND 5/8" IR PER REF 3, 4) [UP 1/2']	M25 FOUND 2" ALUMINUM CAP PER "CRYSTAL TERRACE" [FLUSH]
M13 FOUND 5/8" IR W/YPC "TSCS" SET IN SN# 2011-170	M26 FOUND 5/8" IR PER "CRYSTAL TERRACE"
	M27 FOUND 1" BERNTSTEN BRONZE PLUG "TSCS" SET IN SN#2011-170.
	M28 FOUND 1" BERNTSTEN BRONZE PLUG "TSCS" SET IN SN# 2011-170.



LEGEND

- - SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "TSCS" - SET NOVEMBER & DECEMBER, 2011
- - SET 5/8" X 30" IRON ROD WITH 1-1/2" ALUMINUM CAP MARKED "TSCS" FLUSH IN PAVEMENT
- - SET 5/8" X 30" IRON ROD WITH 1-1/2" ALUMINUM CAP MARKED "TSCS" IN MONUMENT BOX
- - FOUND MONUMENT AS NOTED
- △ - FOUND QUARTER CORNER - 3-1/4" BRONZE CAP
- FND - FOUND
- IR - IRON ROD
- IP - IRON PIPE
- IB - IRON BAR
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- OPC - ORANGE PLASTIC CAP
- SN# - CLACKAMAS COUNTY SURVEY RECORD
- ESMT - EASEMENT
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- TSCS - THE SAUNDERS COMPANY SURVEY

01/11/12

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Theodore G. Lambert

OREGON
JULY 16, 1987
THEODORE G. LAMBERT
2294

RENEWS: 12-31-2012

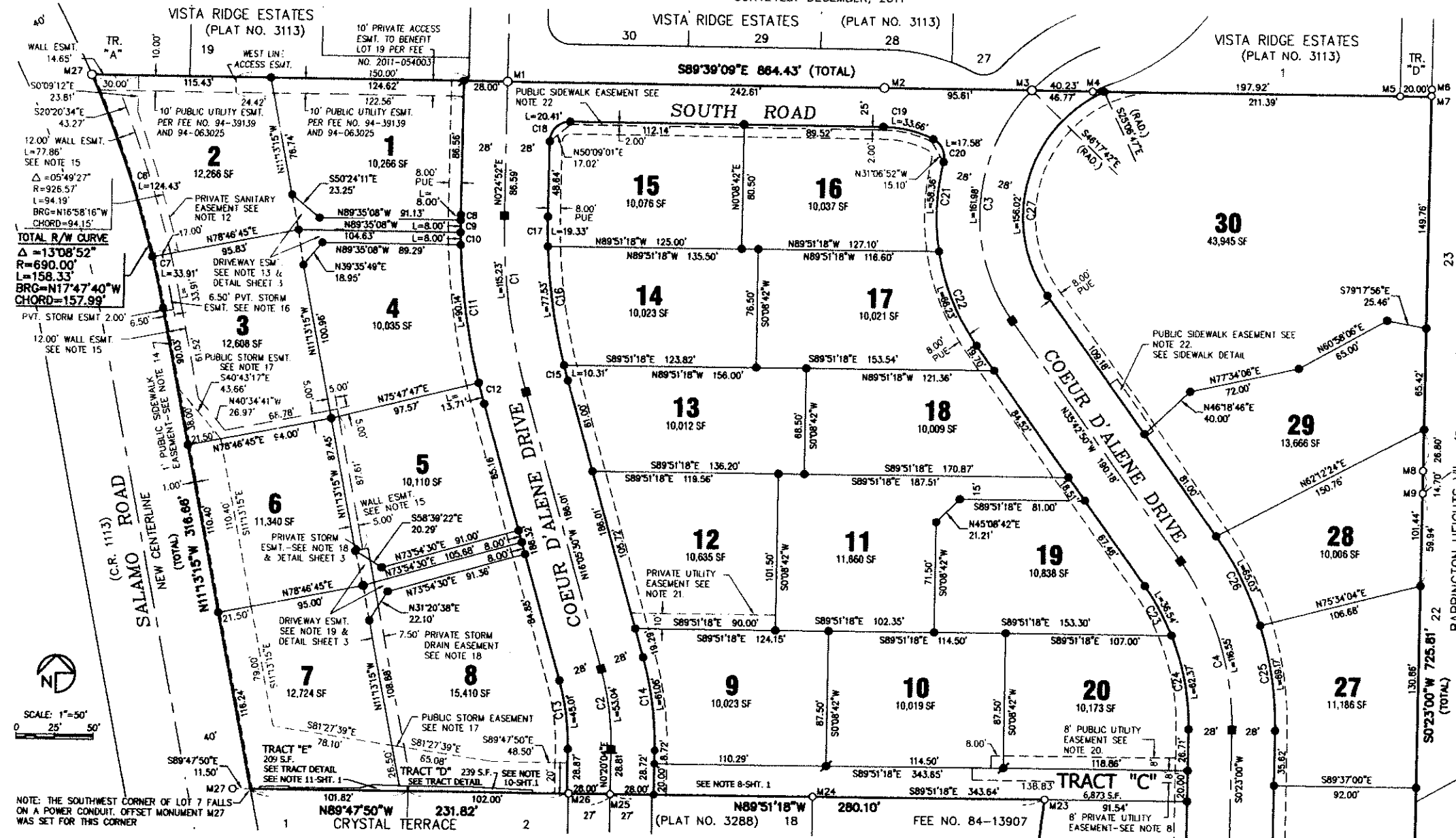
The Saunders Company Inc.

SURVEY DIVISION
 901 N. BRUTSCHER ST., SUITE#201
 NEWBERG, OREGON 97132
 TEL: 503-537-9347 FAX: 503-554-9107
 WWW.THESAUNDERSCOMPANY.NET

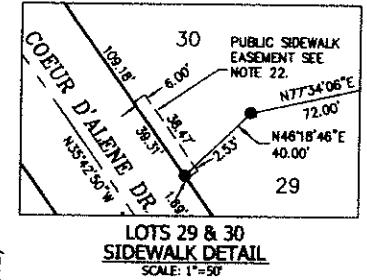
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M6 FOUND 5/8" IR W/ YPC "WCI" PER REF (6) [FLUSH] N00°23'E 0.52'
 M7 FOUND 5/8" IR W/ YPC "KAMPE" PER "VISTA RIDGE ESTATES" [FLUSH] S89°39'E 0.11'



CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	16°30'22"	400.00'	115.234'	S75°01'19"E	114.84'
C2	16°25'33"	185.00'	53.037'	N75°24'43"W	52.86'
C3	79°25'08"	116.86'	161.982'	S3°59'44"W	149.32'
C4	36°05'50"	185.00'	116.553'	N17°39'55"W	114.63'
C5	97°49'55"	140.00'	239.048'	N45°17'57"E	211.05'
C6	10°19'58"	690.00'	124.428'	N19°12'08"W	124.26'
C7	2°48'56"	690.00'	33.907'	N12°37'43"W	33.90'
C8	0°27'40"	428.00'	3.444'	S0°11'02"W	3.44'
C9	1°04'16"	428.00'	8.001'	S0°34'56"E	8.00'
C10	1°04'18"	428.00'	8.005'	S1°39'13"E	8.01'
C11	12°03'59"	428.00'	90.136'	S8°13'21"E	89.97'

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C12	1°50'09"	428.00'	13.714'	S15°10'25"E	13.71'
C13	16°25'33"	157.00'	45.010'	N75°24'43"W	44.86'
C14	16°25'33"	213.00'	61.064'	N75°24'43"W	60.86'
C15	1°35'16"	372.00'	10.309'	S15°17'52"E	10.31'
C16	1°15'26"	372.00'	77.526'	S8°32'00"E	77.39'
C17	2°58'39"	372.00'	19.332'	S1°04'28"E	19.33'
C18	89°55'59"	13.00'	20.405'	S45°22'51"W	18.37'
C19	25°42'58"	75.00'	33.662'	N76°47'40"W	33.38'
C20	77°29'59"	13.00'	17.584'	N25°11'12"W	16.27'
C21	23°04'59"	144.86'	58.360'	S2°01'18"W	57.97'
C22	26°11'38"	144.86'	66.228'	S22°37'01"E	65.65'

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C23	13°20'07"	157.00'	36.541'	N29°02'47"W	36.46'
C24	22°45'43"	157.00'	62.372'	N10°59'52"W	61.96'
C25	18°36'20"	213.00'	69.167'	N8°55'10"W	68.86'
C26	17°29'30"	213.00'	65.026'	N26°58'05"W	64.77'
C27	100°36'03"	88.86'	156.022'	S14°35'12"W	136.74'
C28	65°22'12"	118.00'	134.629'	N33°04'08"E	127.44'
C29	32°27'42"	86.00'	48.725'	N81°59'04"E	48.08'
C30	4°31'42"	168.00'	13.278'	N2°38'51"E	13.27'
C31	55°58'03"	162.00'	158.244'	N33°03'49"E	152.03'
C32	37°10'04"	100.00'	64.870'	N79°37'52"E	63.74'

- LEGEND**
- - SET 5/8"x30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "TSCS" - SET NOVEMBER & DECEMBER, 2011
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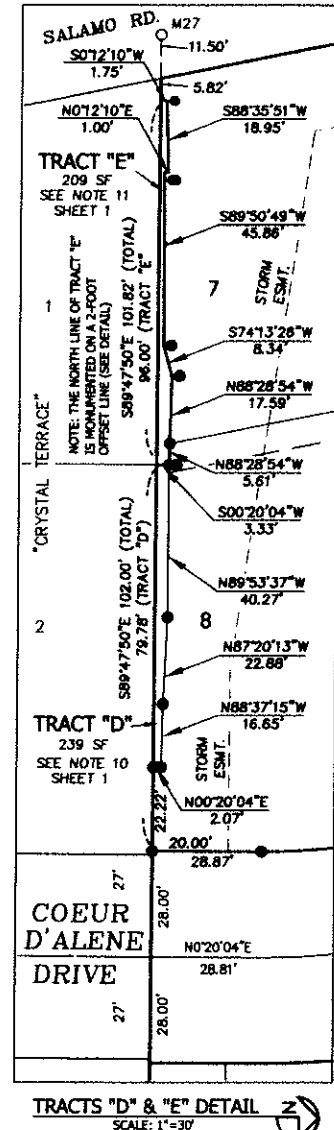
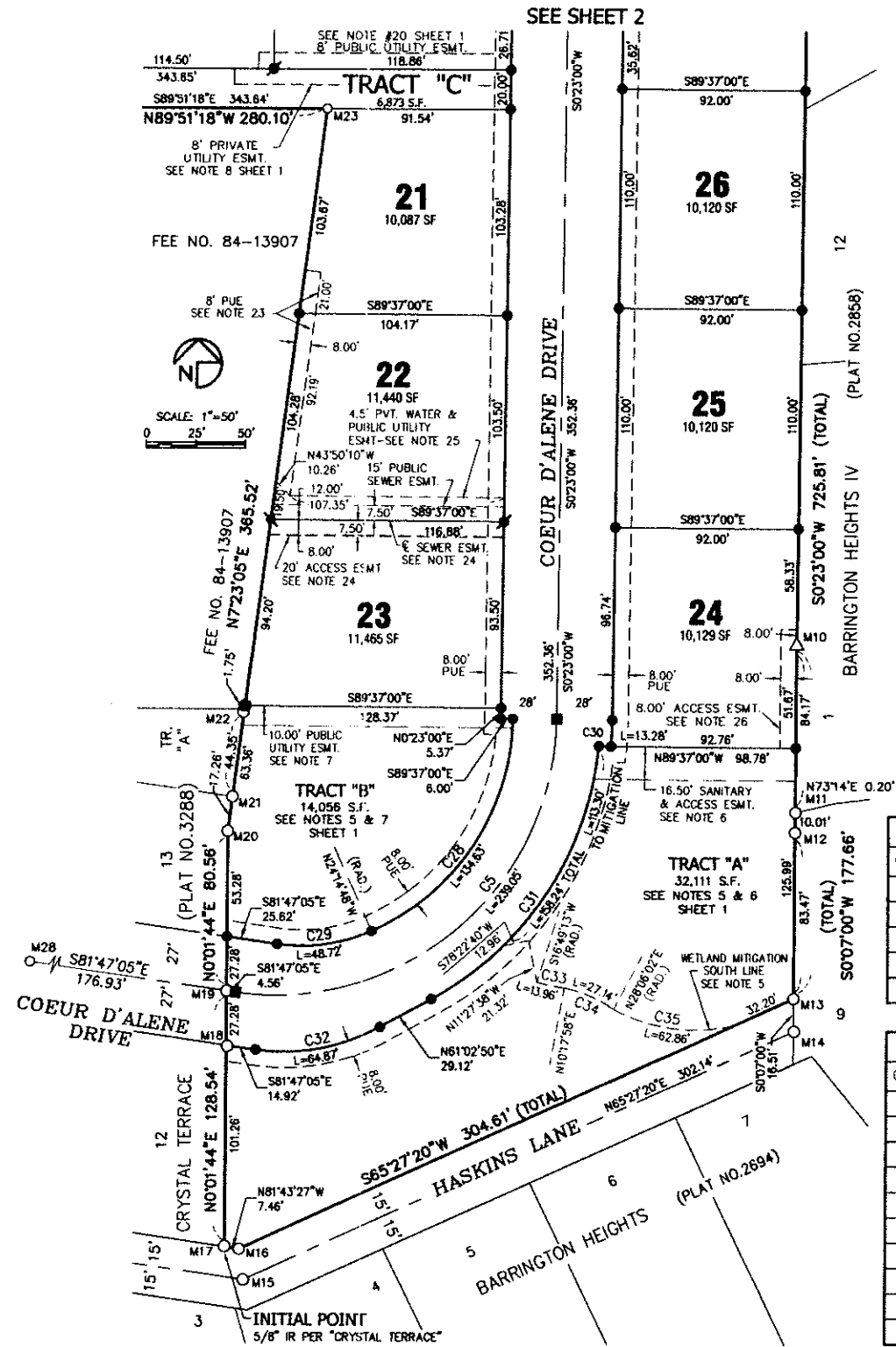
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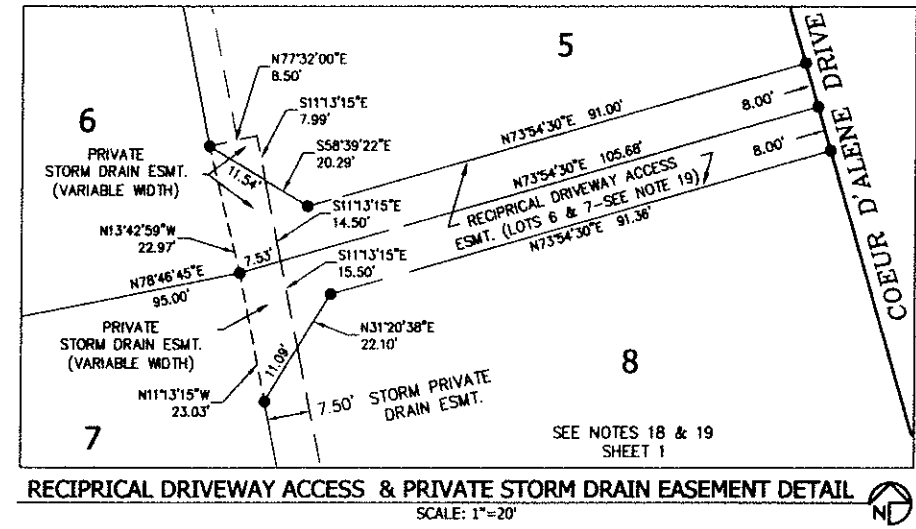
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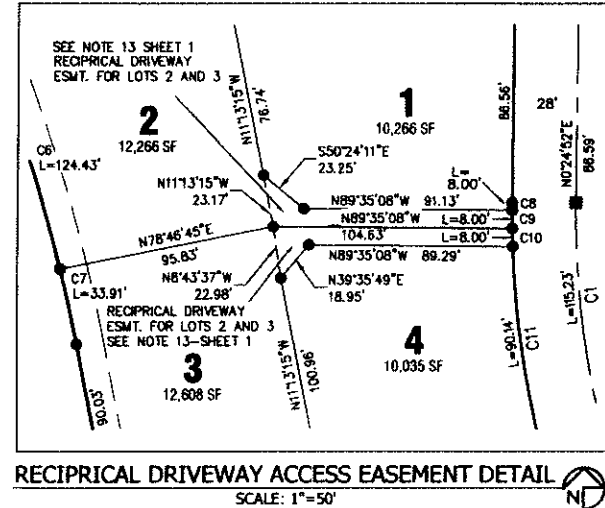
TRACTS "D" & "E" DETAIL
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C25	18°36'20"	213.00'	69.167'	N8°55'10"W	68.86'
C26	17°29'30"	213.00'	65.026'	N26°58'05"W	64.77'
C27	100°38'03"	88.86'	156.022'	S14°35'12"W	136.74'
C28	65°22'12"	118.00'	134.629'	N33°04'06"E	127.44'
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C31	55°58'03"	162.00'	158.244'	N33°03'49"E	152.03'
C32	37°10'04"	100.00'	64.870'	N79°37'52"E	63.74'

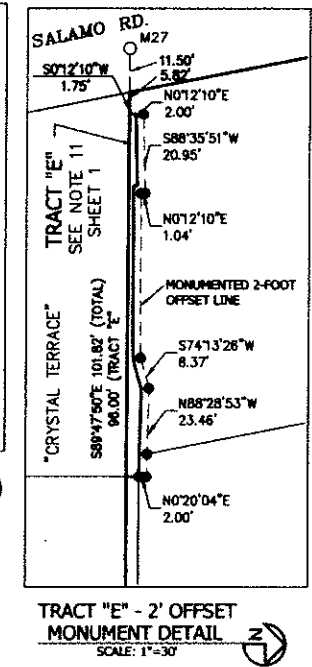


RECIPROCAL DRIVEWAY ACCESS & PRIVATE STORM DRAIN EASEMENT DETAIL
 SCALE: 1"=20'



RECIPROCAL DRIVEWAY ACCESS EASEMENT DETAIL
 SCALE: 1"=50'

CURVE #	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C33	9°26'33"	84.68'	13.956'	S77°54'03"E	13.94'
C34	25°05'07"	61.98'	27.136'	N67°09'28"W	26.92'
C35	41°30'23"	86.77'	62.855'	S82°39'09"E	61.49'



TRACT "E" - 2' OFFSET MONUMENT DETAIL
 SCALE: 1"=30'

- LEGEND**
- - SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "TSCS" - SET NOVEMBER & DECEMBER, 2011
 - - SET 5/8" X 30" IRON ROD WITH 1-1/2" ALUMINUM CAP MARKED "TSCS" FLUSH IN PAVEMENT
 - - SET 5/8" X 30" IRON ROD WITH 1-1/2" ALUMINUM CAP MARKED "TSCS" IN MONUMENT BOX
 - - FOUND MONUMENT AS NOTED
 - △ - FOUND QUARTER CORNER - 3-1/4" BRONZE CAP
 - FND - FOUND
 - IR - IRON ROD
 - IP - IRON PIPE
 - IB - IRON BAR
 - YPC - YELLOW PLASTIC CAP
 - OPC - ORANGE PLASTIC CAP
 - SN# - CLACKAMAS COUNTY SURVEY RECORD
 - ESMT - EASEMENT
 - PUE - PUBLIC UTILITY EASEMENT
 - TSCS - THE SAUNDERS COMPANY SURVEY

01/11/12
 REGISTERED PROFESSIONAL LAND SURVEYOR

 OREGON
 JULY 18, 1987
 THEODORE G. LAMBERT
 2284
 RENEWS: 12-31-2012

The Saunders Company Inc.
 SURVEY DIVISION
 901 N. BRUTSCHER ST., SUITE#201
 NEWBERG, OREGON 97132
 TEL: 503-537-9347 FAX: 503-554-9107
 WWW.THESAUNDERSCOMPANY.NET
 SHEET 3 OF 4 JOB NO. 9130

TERESA'S VINEYARD
BEING A REPLAT OF A PORTION OF LOTS 15 AND 16, BLAND ACRES, PLAT NO. 304, LOCATED IN THE NE 1/4 AND THE SE 1/4 SEC. 35, T2S, R1E, W.M. CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON
CITY OF WEST LINN FILE NO. SUB-07-02/NDW-07-02/VAR-07-01
SURVEYED: DECEMBER, 2011

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS: THAT TV 29 L.L.C., AN OREGON LIMITED LIABILITY COMPANY, AND JEFFERY D. SMITH AND TERESA D. SMITH, AS TENANTS BY THE ENTIRETY, AS OWNERS OF THE LANDS HEREIN DESCRIBED IN THE SURVEYORS CERTIFICATE AND DO HEREBY DECLARE THE ANNEXED MAP OF "TERESA'S VINEYARD" TO BE A TRUE AND ACCURATE PLAT THEREOF AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO LOTS AND TRACTS IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92 AND HEREBY DEDICATE ALL RIGHTS-OF-WAY AS SHOWN HEREON TO THE PUBLIC, AND HEREBY GRANT ALL EASEMENTS AS SHOWN OR NOTED ON SAID MAP. THERE ARE ADDITIONAL RESTRICTIONS NOTED ELSEWHERE ON THIS PLAT.

THE DECLARANT MAKES NO CLAIM TO LANDS BEYOND THE PLAT AS MONUMENTED AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE.

TV 29, LLC
BY: OAKRIDGE ESTATES DEVELOPMENT CORP., MEMBER OF TV 29, L.L.C.

[Signature]
JEFFERY D. SMITH, PRESIDENT OF OAKRIDGE ESTATES DEVELOPMENT CORP.

[Signature]
J. T. SMITH COMPANIES, MANAGER MEMBER OF TV 29, L.L.C.

[Signature]
JEFFERY D. SMITH, PRESIDENT OF J. T. SMITH COMPANIES

[Signature]
JEFFERY D. SMITH & TERESA D. SMITH, FEE OWNERS INSTRUMENT NO. 95-14166

ACKNOWLEDGMENTS

STATE OF OREGON }
COUNTY OF CLACKAMAS } S.S.
THIS DECLARATION WAS ACKNOWLEDGED BEFORE ME ON JANUARY 11 2012 BY JEFFERY D. SMITH, PRESIDENT, OAKRIDGE ESTATES DEVELOPMENT CORP., AN OREGON CORPORATION, AS MANAGING MEMBER OF TV 29, LLC, AN OREGON LIMITED LIABILITY COMPANY ON BEHALF OF THE COMPANY.

[Signature] [Signature]
NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON
Katie Frahm

COMMISSION NO. 463282
MY COMMISSION EXPIRES: November 02, 2015

STATE OF OREGON }
COUNTY OF CLACKAMAS } S.S.
THIS DECLARATION WAS ACKNOWLEDGED BEFORE ME ON JANUARY 11th 2012 BY JEFFERY D. SMITH, PRESIDENT OF J. T. SMITH COMPANIES (MANAGER OF TV29 LLC)

[Signature] [Signature]
NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON
Katie Frahm

COMMISSION NO. 463282
MY COMMISSION EXPIRES: November 02, 2015

STATE OF OREGON }
COUNTY OF CLACKAMAS } S.S.
THIS DECLARATION WAS ACKNOWLEDGED BEFORE ME ON JANUARY 11th 2012 BY JEFFERY D. SMITH AND TERESA D. SMITH, PERSONALLY AS OWNERS OF THE PROPERTY DESCRIBED IN INSTRUMENT NO. 95-14166.

[Signature] [Signature]
NOTARY PUBLIC - OREGON NOTARY PUBLIC - OREGON
Katie Frahm

COMMISSION NO. 463282
MY COMMISSION EXPIRES: November 02, 2015

SURVEYOR'S CERTIFICATE:

I, THEODORE G. LAMBERT, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS AS NOTED HEREON, ALL BOUNDARY CORNERS REPRESENTED ON THE ACCOMPANYING PLAT OF "TERESA'S VINEYARD", BEING A REPLAT OF A PORTION OF LOTS 15 AND 16, "BLAND ACRES" (PLAT NO. 304) LOCATED IN THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 EAST, W.M. AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, A 5/8" IRON ROD MARKING THE SOUTHEAST CORNER OF LOT 12, "CRYSTAL TERRACE", PLAT NO. 3288, CLACKAMAS COUNTY PLAT RECORDS; THENCE NORTH 00°01'44" EAST ALONG THE MOST EASTERLY LINE OF SAID CRYSTAL TERRACE 208.10 FEET TO AN ANGLE POINT; THENCE NORTH 07°23'05" EAST ALONG SAID MOST EASTERLY LINE AND THE EAST LINE OF THE TRACT OF LAND DESCRIBED IN FEE NO. 84-13907, CLACKAMAS COUNTY DEED RECORDS, A DISTANCE OF 365.52 FEET TO THE NORTHEAST CORNER OF SAID TRACT DESCRIBED IN FEE NO. 84-13907; THENCE NORTH 89°51'18" WEST ALONG THE NORTH LINE OF SAID TRACT AND THE NORTHERLY LINE OF SAID "CRYSTAL TERRACE" 280.10 FEET TO THE CENTERLINE TERMINUS OF COEUR D'ALENE DRIVE AS SHOWN ON SAID PLAT; THENCE CONTINUING ALONG THE NORTH LINE OF SAID "CRYSTAL TERRACE" NORTH 89°47'50" WEST 231.82 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SALAMO ROAD AS DESCRIBED IN THE DEDICATION DEED TO CLACKAMAS COUNTY RECORDED AS FEE NO. 2009-067685, SAID COUNTY DEED RECORDS; THENCE NORTH 11°13'15" WEST ALONG SAID EASTERLY RIGHT OF WAY LINE 316.66 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 690.00 FEET; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 13°08'52" AN ARC DISTANCE OF 158.33 FEET (THE CHORD OF WHICH BEARS NORTH 17°47'40" WEST 157.99 FEET) TO THE SOUTHWEST CORNER OF "VISTA RIDGE ESTATES", PLAT NO. 3113, SAID COUNTY PLAT RECORDS; THENCE SOUTH 89°39'09" EAST ALONG THE SOUTH LINE OF SAID "VISTA RIDGE ESTATES" 884.43 FEET TO THE SOUTHEAST CORNER OF SAID "VISTA RIDGE ESTATES", SAID POINT ALSO BEING ON THE WEST LINE OF "BARRINGTON HEIGHTS VI", PLAT NO. 3112, SAID COUNTY PLAT RECORDS; THENCE SOUTH 00°23'00" WEST ALONG SAID WEST LINE OF "BARRINGTON HEIGHTS VI" AND "BARRINGTON HEIGHTS IV", PLAT NO. 2856, SAID COUNTY PLAT RECORDS, 725.81 FEET TO A 3-1/4" BRONZE CAP MARKING THE QUARTER CORNER BETWEEN SECTIONS 35 AND 36; THENCE SOUTH 00°07'00" WEST ALONG THE WEST LINE OF SAID "BARRINGTON HEIGHTS IV" A DISTANCE OF 177.66 FEET TO A POINT ON THE NORTHERLY RIGHT -OF-WAY- OF HASKINS LANE; THENCE SOUTH 65°27'20" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY 304.61 FEET TO AN ANGLE POINT; THENCE NORTH 81°43'27" WEST 7.46 FEET TO THE SOUTHEAST CORNER OF SAID "CRYSTAL TERRACE" AND SAID INITIAL POINT.

CONTAINING 11.59 ACRES, MORE OR LESS.

CONSENT AFFIDAVITS:

A SUBDIVISION CONSENT AFFIDAVIT FROM M & T BANK, A TRUST DEED BENEFICIARY PER INSTRUMENT NO. 2012-001403 AND HAS BEEN RECORDED AS DOCUMENT NO. 2011-047084, CLACKAMAS COUNTY DEED RECORDS.

A SUBDIVISION CONSENT AFFIDAVIT FROM KEY BANK NATIONAL ASSOC., A TRUST DEED BENEFICIARY PER INSTRUMENT NO. 2007-105141, AND HAS BEEN RECORDED AS DOCUMENT NO. 2012-001403, CLACKAMAS COUNTY DEED RECORDS.

A SUBDIVISION CONSENT AFFIDAVIT FROM JTMN INVESTMENTS, L.L.C., A TRUST DEED BENEFICIARY PER INSTRUMENT NO. 2011-047985, AND HAS BEEN RECORDED AS DOCUMENT NO. 2012-001404, CLACKAMAS COUNTY DEED RECORDS.

RELEASE OF EXISTING EASEMENTS:

ALL DOCUMENTS LISTED BELOW REFER TO CLACKAMAS COUNTY DEED RECORDS. THE EASEMENTS LISTED IN DOCUMENT NOS. 1991-005176, 1991-008345 AND 1992-055742 AND RE-RECORDED AS DOCUMENT NOS. 1994-046028, 1994-039138 AND 1994-063024 HAVE BEEN RELEASED PER DOCUMENT NO. 2012-001406

THE EASEMENT LISTED IN DOCUMENT NO. 83-37829 HAS BEEN RELEASED PER DOCUMENT NO. 2012-001407

THE EASEMENTS LISTED IN DOCUMENT NOS. 94-29826, 94-29827, 2004-096720 AND 2004-096721 HAVE BEEN RELEASED PER DOCUMENT NO. 2012-001408

THE 50-FOOT ROAD EASEMENT PORTION LISTED IN DOCUMENT NO. 95-14166 HAS BEEN RELEASED PER DOCUMENT NO. 2012-001409

EASEMENTS PER COVENANTS, CONDITIONS & RESTRICTIONS:

- SECTION 3.4.1.1 - LOT 2 AND 3 SHARED DRIVEWAY
- SECTION 3.4.1.2 - LOT 6 AND 7 SHARED DRIVEWAY
- SECTION 3.4.2 - EASEMENT FOR TRACTS
- SECTION 3.4.3 - EASEMENTS RESERVED BY DECLARANTS
- SECTION 3.4.4 - ADDITIONAL EASEMENT
- SECTION 3.4.5 - ASSOCIATION EASEMENTS
- SECTION 3.4.5.1 - RETAINING WALL EASEMENT
- SECTION 3.4.6 - EASEMENT TO GOVERNMENT ENTITIES
- SECTION 3.4.7 - ENTRY AND IDENTIFICATION MONUMENTS
- SECTION 3.4.8 - FENCING AND DECORATIVE MASONRY
- SECTION 3.4.9 - DRAINAGE LINES
- SECTION 3.4.10 - MAINTENANCE EASEMENT

CITY OF WEST LINN APPROVALS:

APPROVED THIS 12th OF JANUARY, 2012
[Signature]
CITY OF WEST LINN PLANNING DIRECTOR

APPROVED THIS 12th OF JANUARY, 2012
[Signature]
CITY OF WEST LINN CITY ENGINEER

CLACKAMAS COUNTY APPROVALS:

APPROVED THIS 12th OF JANUARY, 2012
[Signature]
CLACKAMAS COUNTY SURVEYOR, AND CLACKAMAS COUNTY BOARD OF COMMISSIONERS DELEGATE PER COUNTY CODE CHAPTER 11.02

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.095 HAVE BEEN PAID THROUGH
JULY 1 2012

APPROVED: 12th JANUARY, 2012

CLACKAMAS COUNTY ASSESSOR & TAX COLLECTOR

BY: [Signature]
DEPUTY

STATE OF OREGON }
COUNTY OF CLACKAMAS } S.S.

I DO HEREBY CERTIFY THAT THE ATTACHED PLAT WAS RECEIVED FOR RECORD ON THE 12th DAY OF JANUARY, 2012 AT 3:26 O'CLOCK P.M.

AS PLAT NO. 4339
DOCUMENT NO. 2012-1405

SHERRY HALL, CLACKAMAS COUNTY CLERK

BY: [Signature]
DEPUTY

01/11/12
REGISTERED PROFESSIONAL LAND SURVEYOR
[Signature]
THEODORE G. LAMBERT
2294
RENEWS: 12-31-2012

The Saunders Company Inc.
SURVEY DIVISION
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WWW.THESAUNDERSCOMPANY.NET
SHEET 4 OF 4 JOB NO. 9130