



## **PUBLIC PEDESTRIAN AND BICYCLE PATHWAY EASEMENT**

The following Public Pedestrian and Bicycle Pathway Easement form has been created by the Beaverton City Attorney's office. Please send all completed forms to the City engineering plans examiner assigned to the project. The plans examiner should verify: the legal description, that the attached sketch matches the legal, and that the form is clear and readable with live ink signatures (no facsimiles or copies of facsimiles as the text becomes unreadable), and that the person signing is shown in the development file as an owner of the property. If these entries are accurate the plans examiner will then transmit the document to the City Attorney for approval. The cover letter or transmittal (from the applicant) accompanying the easement should clearly state the project name as it appears in City records and the Development Services file or project numbers. Items submitted without verification or reference numbers will be returned.

The Attorney's office will send approved easements to the City Recorder for recording with Washington County, with photocopy to the plans examiner. **PLEASE CONTACT THE PLANS EXAMINER, NOT THE CITY ATTORNEY OR CITY RECORDER OFFICES, TO VERIFY THAT THE EASEMENT HAS BEEN APPROVED.** Items not approved will be returned with explanation to the plans examiner who then will contact the applicant. Thank you.

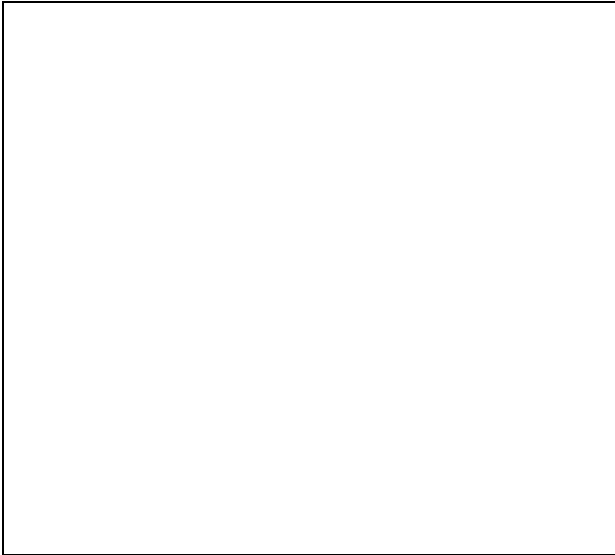
### **ITEMS NEEDED FOR A COMPLETE EASEMENT SUBMITTAL**

1. Cover sheet (transmittal) from the applicant/owner indicating the location of the easement and which project (using the project name as it appears in City records and the City reference number).
2. A completed City standard Public Pedestrian and Bicycle Pathway Easement form with original, live ink signatures (NO COPIES OF FACSIMILES WILL BE ACCEPTED).
3. A metes and bounds legal description from a registered professional Surveyor or Civil Engineer (Exhibit A). A metes and bounds legal description from a registered professional Surveyor or Civil Engineer (Exhibit "A"). This description must either be on company letterhead, or stamped and signed by the professional preparing the description. The legal description attachment as noted in the form must be titled **Exhibit "A"**, with a metes and bounds description and a sketch/map of the area being described. If two or more pages are needed, then they should all be titled **Exhibit "A"** and labeled as Page 1 of x, Page 2 of x, etc., with x being the total number of pages in the exhibit.
4. A sketch with the point of beginning clearly labeled along with all existing and proposed property lines, retaining walls, buildings, and the bearing and distances of all lines. This page is to aid the review and approval process.

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City Attorney Standard Form (4/97)

Reserved for County use



By this instrument \_\_\_\_\_, (Grantor) in consideration of the sum of \$ \_\_\_\_\_/ other, non-monetary consideration [strike out which ever is inapplicable] received from the City of Beaverton, Oregon, a municipal corporation (Grantee) does hereby grant, bargain, sell, and convey to Grantee, its successors and assigns a perpetual easement and right-of-way for the purpose of construction, maintenance, repair, reconstruction and use of a public pedestrian and bicycle pathway and lateral and supporting structures over, across, in and through the real property owned by Grantor located in the County of Washington and the State of Oregon and more particularly described as follows:

**See attached Exhibit "A"**

Grantor understands and agrees for itself, its successors and assigns not to cause or allow the construction or maintenance of any building or other structure in or upon the area conveyed without the prior written consent of Grantee, which may be granted or allowed in Grantee's sole discretion. Grantor understands and agrees that Grantee may cause the summary removal of any such building or structure so placed without Grantor's consent and that Grantor shall make no claim for and shall hold Grantee harmless from any claim by a third person for damage to or destruction of the property so removed.

Grantor further agrees for itself, its heirs, successors and assigns that it shall not cause or allow any act or occurrence or condition of land that disturbs the subjacent or lateral support of the area conveyed and that Grantee shall have the right of reasonable access over any property adjacent to the area conveyed, for the purpose of construction, maintenance, repair, reconstruction and use of any and all such public pedestrian and bicycle pathway and lateral and supporting structures in or on the area conveyed and the right to remove any structure or vegetation necessary or convenient to accomplish same.

Grantee agrees to replace and restore as nearly as practical the surface of the soil of the property conveyed within a reasonable time after completing any task for which it enters upon same.

If Grantor is a corporation, by the signature of its authorized agent is signifies that the agent has been authorized by its Board of Directors to make this conveyance on behalf of the corporation.

The parties acknowledge that this instrument will be recorded with deed records of Washington County, Oregon.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**GRANTOR(S):**

\_\_\_\_\_  
\_\_\_\_\_  
Print name and Title

\_\_\_\_\_  
\_\_\_\_\_  
Print Name and Title

**INDIVIDUAL ACKNOWLEDGEMENT**

STATE OF OREGON,  
County of \_\_\_\_\_

This was acknowledged before me on \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ and \_\_\_\_\_ and each of them acknowledged said instrument to be his/her voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

**CORPORATE ACKNOWLEDGEMENT**

STATE OF OREGON,  
County of \_\_\_\_\_

This was acknowledged before me on \_\_\_\_\_, 20\_\_ by \_\_\_\_\_ (name & title) and \_\_\_\_\_ (name & title) of a \_\_\_\_\_ [describe entity], and the foregoing was signed on behalf of said entity; and each of them acknowledged said instrument to be its voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
My commission expires: \_\_\_\_\_

**ACCEPTED FOR GRANTEE by:**

\_\_\_\_\_  
Mayor, City of Beaverton

**After recording return to:**  
City of Beaverton, City Recorder  
P.O. Box 4755, Beaverton, OR 97076