

RESOLUTION NO. 2019-55

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
DEDICATION DEED FOR PUBLIC STREET RIGHT-OF-WAY IN THE
GALES CREEK TERRACE DEVELOPMENT; FILE NO. 311-19-000026-PLNG**

WHEREAS, on November 24, 2014, City Council approved Order 2014-06, granting approval for the phased Gales Creek Terrace planned residential development (Development); and

WHEREAS, Forest Grove Development Code §17.6.005(D)(2) states: "For a phased project, the right-of-way for streets within the development that provide connectivity to arterials or collectors outside the project site shall be dedicated with the first phase of the project"; and

WHEREAS, The Development includes a street to be constructed during the final project phases that provides connectivity to Pacific Avenue, a designated collector street in the Forest Grove Transportation System Plan; and

WHEREAS, Gales Creek Development, LLC prepared a dedication deed for the street right-of-way connecting to Pacific Avenue for acceptance by the City and recording with the final plat for the first phase of the Development.

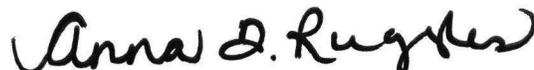
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FOREST GROVE
AS FOLLOWS:**

Section 1. The hereby City Council hereby accepts the dedication deed attached as (Exhibit 1).

Section 2. The City Council hereby authorizes the City Manager to execute the dedication deed on behalf of the City.

Section 3. This resolution is effective immediately upon its enactment by the City Council.

PRESENTED AND PASSED this 28th day of October, 2019.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of October, 2019.



Peter B. Truax, Mayor

After recording, return to:

City of Forest Grove
Att: City Recorder
P.O. Box 326
Forest Grove, OR 97116-0326

Until a change is requested, all

Tax statements shall be sent to:
NO CHANGE IN TAX STATEMENTS

DEDICATION DEED

Gales Creek Development, LLC (GRANTOR), does on behalf of GRANTOR, GRANTOR'S heirs, successors and assigns, grant, convey, dedicate, and warrant to the City of Forest Grove an Oregon political subdivision (GRANTEE), the real property described in Exhibit A (legal description) and depicted in Exhibit B (map), free from all monetary liens or encumbrances. The GRANTEE (and other entities or persons GRANTEE deems appropriate) shall have the perpetual right to use the property for public purposes.

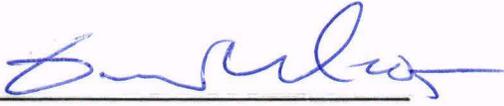
The true consideration for this conveyance is \$ 0.00 and includes other value given or promised.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424 OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 1195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009 AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 8th day of October, 2019.

(See following page for signatures and acknowledgment)

GRANTOR:

By: 

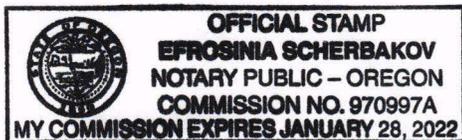
Name: Gordon Root

Title Manager

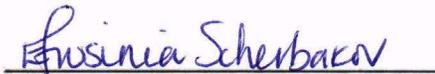
STATE OF OREGON)
)
COUNTY OF WASHINGTON)

On this 8 day of October, 2019, before me personally appeared to me known as
(Name) Gordon Root, (Title) Manager
of GRANTOR Gales Creek Development, LLC and who executed
the within instrument, and who acknowledged the same to be in behalf of
GRANTOR Gales Creek Development, LLC, and said acknowledged said instrument
be the free act and deed of GRANTOR Gales Creek Development, LLC.

(seal)



Notary Public



Name

My Commission Expires: January 28, 2022

APPROVAL AND ACCEPTANCE BY GRANTEE PURSUANT TO ORS 93.808

The City of Forest Grove hereby approves and accepts the foregoing
dedication this 5 day of November, 2019.

By: 

Name: Jesse VanderZanden

Title: City Manager

Gales Creek Terrace
Future Road Dedication
November 18, 2018
Project No. 2410-01

PROPERTY DESCRIPTION

A tract of land situated in the Northeast one-quarter of Section 1, Township 1 South, Range 4 West of the Willamette Meridian; in the City of Forest Grove, County of Washington and State of Oregon; being a portion of those properties conveyed as Document No. 2013-083405 and Document No. 2018-066461, in Washington County Deed Records; consisting of two strips of land, being forty-six (46') and fifty-four (54') feet wide laying even widths on each side of their centerlines, which are more particularly described as follows:

A forty-six (46') foot wide strip laying 23.00 feet on each side of centerline

Beginning at the western terminus on the centerline of 19th Avenue (being 46.00 feet wide as per future Plat of "Gales Creek Terrace"), which point bears North $54^{\circ}54'23''$ West, 770.00 feet from the "Initial Point of said "Gales Creek Terrace" which is also the NW corner Lot 5, "Hendricks Addition";

thence, on an extension of said centerline of 19th Avenue, North $87^{\circ}57'02''$ West 333.79 feet to the end of said 46.00 feet wide strip, hereinafter referred to as Point A being at a jog in said centerlines.

A fifty-four (54') foot wide strip laying 27.00 feet on each side of centerline

Beginning at a point which bears South $02^{\circ}02'58''$ West, 2.00 feet from the hereinabove described "Point A";

thence North $87^{\circ}57'02''$ West 87.68 feet to the beginning of a 150.00-foot radius curve;

thence along said curve to the right, through an angle of $23^{\circ}55'08''$ (the chord of which bears North $75^{\circ}59'29''$ West 62.17 feet) an arc length of 62.62 feet;

thence North $64^{\circ}01'55''$ West 176.40 feet to the beginning of a 150.00-foot radius curve;

thence along said curve to the right, through an angle of $25^{\circ}32'23''$ (the chord of which bears North $51^{\circ}15'43''$ West 66.31 feet) an arc length of 66.86 feet;

thence North $38^{\circ}29'32''$ West 90.52 feet to a point of cusp and the beginning of a non-tangent 150.00-foot radius curve;

thence along said non-tangent curve to the left (from which a radial line bears North $38^{\circ}29'32''$ West), through an angle of $43^{\circ}40'49''$ (the chord of which bears North $29^{\circ}40'04''$ East 111.61 feet) an arc length of 114.36 feet;

thence North $07^{\circ}49'39''$ East 379.32 feet to the end of said 54.00 foot wide strip, being a point along the centerline of Pacific Avenue, which bears South $82^{\circ}18'21''$ East 463.18 feet from the SE corner Henry Buxton DLC No. 62.

The sidelines of said strips are to be lengthened or shortened to terminate at the west line of said 19th Avenue and the south right of way line of said Pacific Avenue (30.00 feet south of centerline).

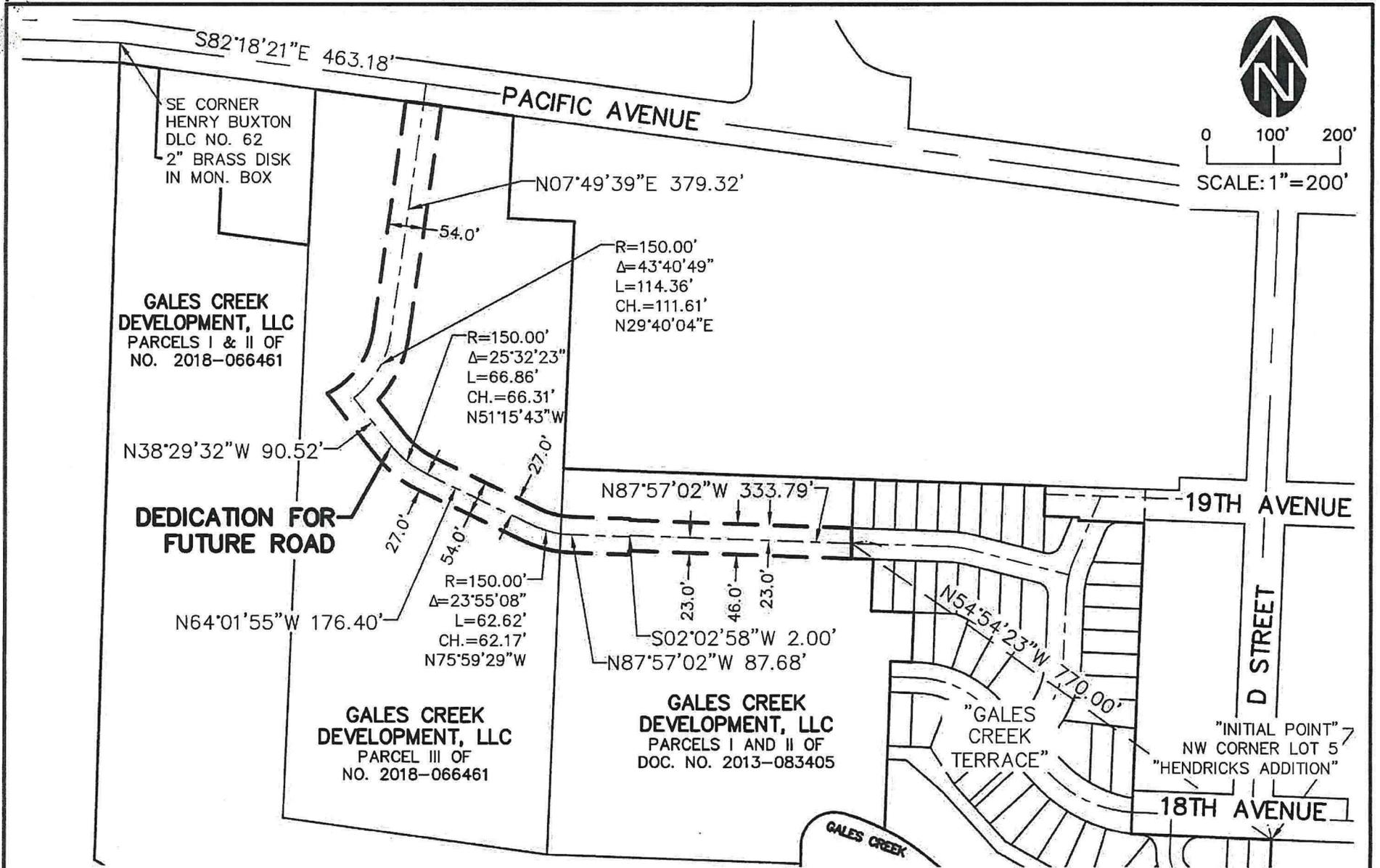
Area of which contains 66,578 square feet, or 1.528 acres, more or less.

Bearings are based upon Survey Number 33140, Washington County Surveys.



RENEWS: 12/31/19

J:\2410-001\3\SURVEY\CAD\DWG\XREF\2410-001EX_05-DED.DWG 2019-10-01 1:44 PM - GRA



0 100' 200'
SCALE: 1"=200'

EXHIBIT B

LOCATED IN THE NE 1/4 OF SECTION 1, T. 1 S., R. 4 W., W.M.
CITY OF FOREST GROVE, WASHINGTON COUNTY, OREGON

DATE	11/18/18
DRAWN BY	GRA
CHECKED BY	CAJ
REVISION	
JOB NO.	2410-01

WESTLAKE
CONSULTANTS inc.

ENGINEERING ♦ SURVEYING ♦ PLANNING

PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
TIGARD, OREGON 97224 FAX (503) 624-0157



A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	<u>7.</u>
MEETING DATE:	<u>10/28/2019</u>
FINAL ACTION:	<u>RESO 2019-55</u>

CITY COUNCIL STAFF REPORT

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *October 28, 2019*

PROJECT TEAM: *Daniel Riordan, Senior Planner; and Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Resolution Accepting a Dedication Deed for Public Street Right-of-Way in the Gales Creek Terrace Planned Residential Development and Authorizing the City Manager to Execute the Deed for Recording by the City Recorder (File No. 311-19-000026-PLNG)*

ACTION REQUESTED:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Order	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion	<input type="checkbox"/> Informational
--------------------------	------------------------------------	--------------------------------	---------------------------------------	-------------------------------------	---------------------------------	--

X all that apply

ISSUE STATEMENT: The Gales Creek Terrace planned residential development is a phased project. The Forest Grove Development Code, in §§17.6.005(D)(2), requires that the right-of-way for streets within a phased development that provides connectivity to arterials or collectors outside the project site be dedicated with the first phase of the project. There is one street, to be constructed in latter phases, that provides connectivity to Pacific Avenue. This street must be dedicated concurrently with the final plat for phase one. The developer is close to recording the final plat for the first phase of the project. A resolution is attached for Council approval accepting the right-of-way dedication and authorizing the City Manager to execute the deed for recording by the City Recorder.

BACKGROUND: On November 24, 2014, City Council approved Order 2014-06 granting approval for the phased Gales Creek Terrace planned residential development (PRD-14-00181). Gales Creek Terrace is located west of D Street and south of Pacific Avenue. The development includes 197 lots to be developed over four phases.

As noted above, the Forest Grove Development Code requires dedication of right-of-way for streets internal to phased developments that connect to arterials or collectors roads. The Gales Creek Terrace development includes one street in latter project phase that connects to Pacific Avenue. Pacific Avenue near the project site is a designated collector road in the Forest Grove Transportation System Plan. Therefore, dedication of the street right-of-way must be dedicated concurrently with the final plat for the first phase of the project.

Gales Creek Development LLC, prepared a dedication deed for street right-of-way connecting to Pacific Avenue for acceptance by the City and recording with the final plat for the first phase of the project. The dedication deed was reviewed by the City Attorney and Engineering Division.

The attached resolution formally accepts the street right-of-way dedication and authorizes the City Manager to execute the deed on behalf of the City for recording by the City Recorder.

FISCAL IMPACT: Fiscal impacts include administrative costs for processing the dedication deed. The City will also assume ongoing maintenance responsibilities and associated costs on the street right-of-way after the public improvements are accepted by the City.

STAFF RECOMMENDATION: Staff recommends the City Council approve the attached resolution accepting the street right-of-way in the Gales Creek Terrace planned residential development and authorizing the City Manager to execute the deed for recording by the City Recorder.

ATTACHMENT(s):
PowerPoint Presentation
Resolution



GALES CREEK TERRACE STREET DEDICATION

DAN RIORDAN, Senior Planner

BRIAN POHL, Community
Development Director

10/28/19

PUBLIC HEARING PURPOSE

Council consideration of a resolution to:

- Formally accept street right-of-way dedication in Gales Creek Terrace.**
- Authorize the City Manager to execute the dedication deed.**
- Authorize the City Recorder to record deed.**

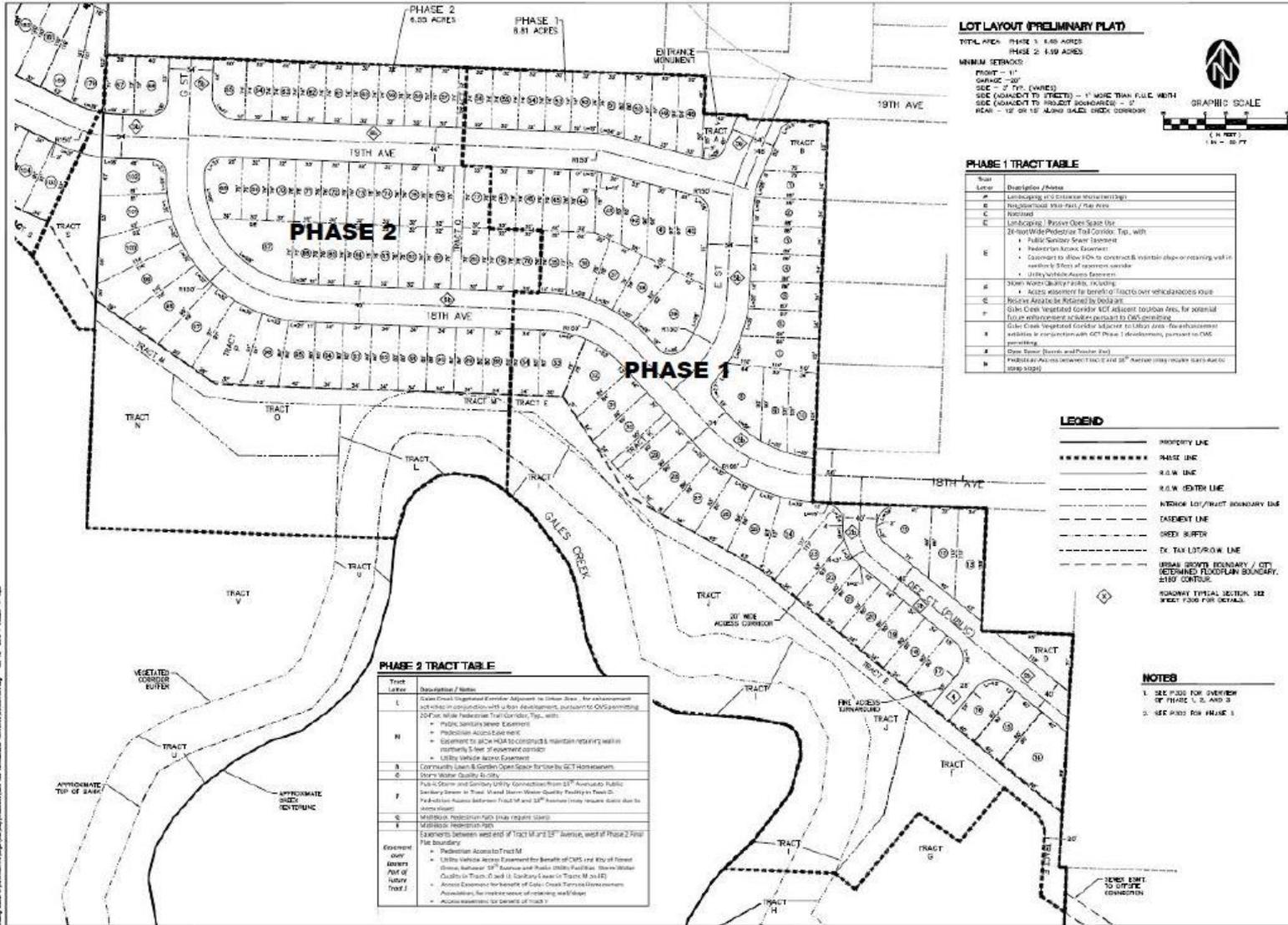
BACKGROUND

- ❑ Development Code – §§17.6.005(D)(2) :

“For a phased project, the right-of-way for streets within the development that provide connectivity to arterials or collectors outside the project site shall be dedicated with the first phase of the project.”

- ❑ Gales Creek Terrace is a four phase project.
- ❑ One street connects to Pacific Ave. in Phase 4

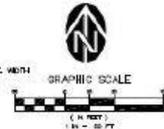
GALES CREEK TERRACE



LOT LAYOUT (PRELIMINARY PLAT)

TOTAL AREA: PHASE 1: 6.00 ACRES
 PHASE 2: 8.81 ACRES

MINIMUM SETBACKS:
 FRONT - 11'
 GARAGE - 20'
 SIDE (ADJACENT TO STREETS) - 1' MORE THAN FULL BLOCK WIDTH
 SIDE (ADJACENT TO HOUSING BOUNDARY) - 2'
 REAR - 12' OR 15' ALONG SALES CHECK CORRIDOR



PHASE 1 TRACT TABLE

Tract Letter	Description / Notes
A	Landscaping: 100' x 100' (100' x 100' trees)
B	Revegetation: 100' x 100' / 100' x 100'
C	Revegetation
D	Landscaping: 100' x 100' Open Space Use 24-foot Wide Pedestrian Trail Corridor: Top, with: <ul style="list-style-type: none"> Public Secondary Sewer Treatment Pedestrian Access Easement Easement to allow 100' to construct & install slope or retaining wall in vicinity of 100' of riparian corridor Utility Vehicle Access Easement
E	Open Space Quality Parks, including: <ul style="list-style-type: none"> Access easement for benefit of tractor/drvy vehicles/rides drive
F	Public Artwork to be Requested by Developer
G	Slack Creek Vegetated Corridor: VCC adjacent to Urban Area, for potential 100' x 100' riparian corridor adjacent to VCC easement
H	Slack Creek Vegetated Corridor: VCC adjacent to Urban Area, for potential easement in conjunction with GCT Phase 1 development, pursuant to CMC easement
I	Open Space (Forest and Pasture Use)
J	Pedestrian Access (Adjacent to GCT and 100' riparian strip) require 100' x 100' slope study

LEGEND

- PROPERTY LINE
- PHASE LINE
- R.O.W. LINE
- R.O.W. CENTER LINE
- INTERIOR LOT/TRACT BOUNDARY LINE
- EASEMENT LINE
- CREEK BUFFER
- DE TAX LOT/R.O.W. LINE
- URBAN GROWTH BOUNDARY / CITY DETERMINED FLOODPLAIN BOUNDARY, 20' BUFFER
- ROADWAY TYPICAL SECTION, SEE SHEET T300 FOR DETAILS

NOTES

- SEE PAGE FOR OVERVIEW OF PHASE 1, 2, AND 3
- SEE SHEET FOR PHASE 1

PHASE 2 TRACT TABLE

Tract Letter	Description / Notes
L	Slack Creek Vegetated Corridor: VCC adjacent to Urban Area, for potential easement in conjunction with Urban development, pursuant to CMC easement 100' x 100' riparian corridor: Top, with: <ul style="list-style-type: none"> Public Secondary Sewer Treatment Pedestrian Access Easement Easement to allow 100' to construct & install slope or retaining wall in vicinity of 100' of riparian corridor Utility Vehicle Access Easement
M	Community Lane & Garden Open Space for use by SCT Homeowners
N	Open Space Quality Parks, including: <ul style="list-style-type: none"> Public Artwork to be Requested by Developer Slack Creek Vegetated Corridor: VCC adjacent to Urban Area, for potential easement in conjunction with GCT Phase 1 development, pursuant to CMC easement
O	Open Space (Forest and Pasture Use)
P	Pedestrian Access (Adjacent to GCT and 100' riparian strip) require 100' x 100' slope study
Q	Open Space (Forest and Pasture Use)
R	Open Space (Forest and Pasture Use)
S	Open Space (Forest and Pasture Use)
T	Open Space (Forest and Pasture Use)
U	Open Space (Forest and Pasture Use)
V	Open Space (Forest and Pasture Use)

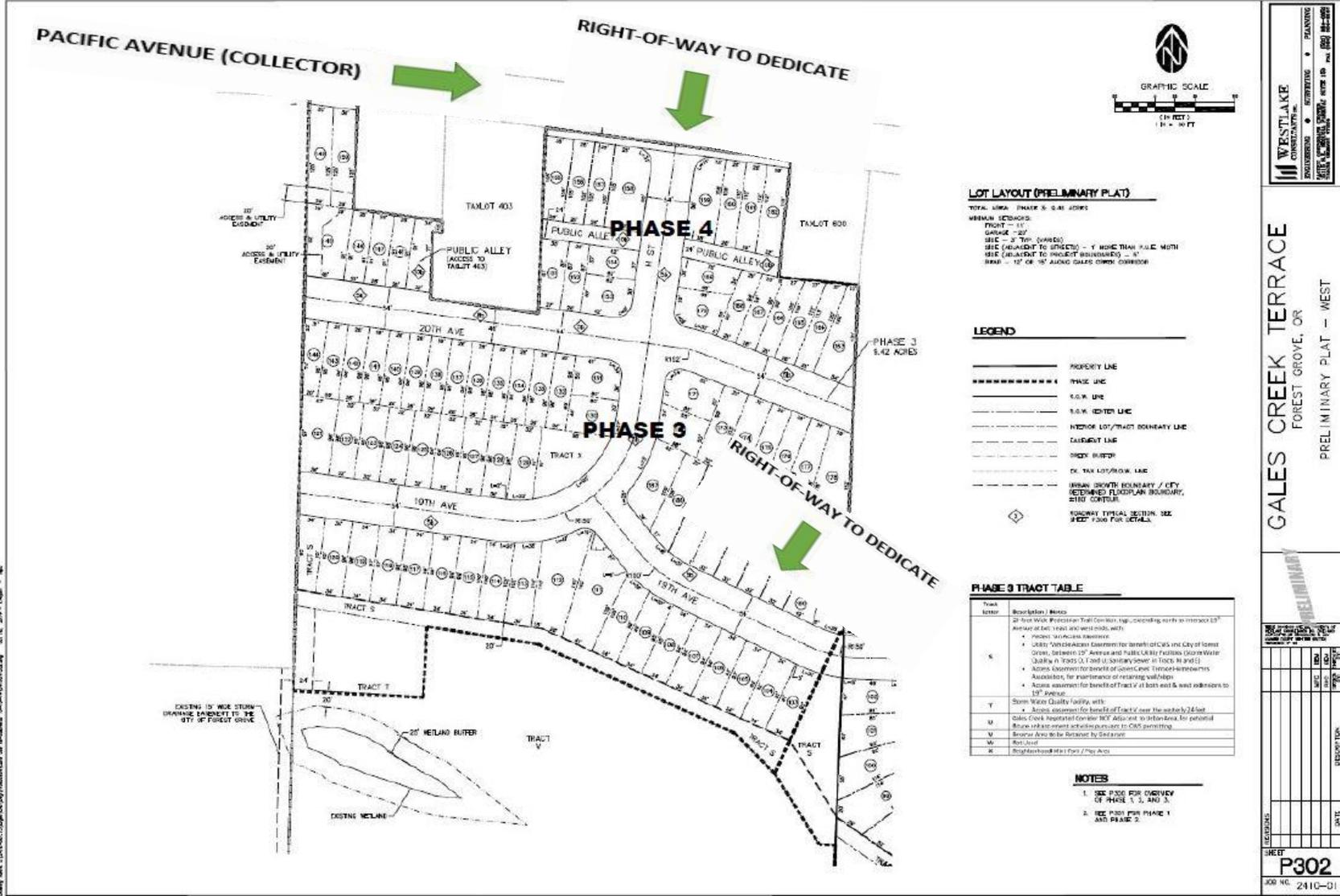
WESTLAKE CONSTRUCTION
 INCORPORATED • 10000 N. WESTLAKE BLVD. SUITE 100 • WESTLAKE, WA 98052 • (206) 881-1111

GALES CREEK TERRACE
 FOREST GROVE, OR
 PRELIMINARY PLAT - EAST

P301
 SHEET NO. 241-D-01

DATE: _____

GALES CREEK TERRACE



LOT LAYOUT (PRELIMINARY PLAT)

TOTAL AREA: PHASE 3 & 4: 6.85 ACRES
 MINIMUM SETBACKS:
 FRONT - 15'
 GARAGE - 20'
 SIDE - 20' (TRIP SIDING)
 SIDE (ADJACENT TO UTILITY) - 5' MORE THAN PUBLIC MATH
 SIDE (ADJACENT TO PROPERTY BOUNDARY) - 5'
 REAR - 10' OR 10' PUBLIC GATED DRIVE CORNER

LEGEND

- PROPERTY LINE
- PHASE LINE
- E.O.W. LINE
- S.O.W. CENTER LINE
- INTERIOR LOT/TRACT BOUNDARY LINE
- DRAINAGE LINE
- DRIVE BUFFER
- DR. TAX LOT/S.O.W. LINE
- URBAN GROWTH BOUNDARY / CITY-DESIGNATED FLOORPLAN BOUNDARY, 2010 CONTROL
- ◇ ROADWAY TYPICAL DESIGN, SEE SHEET P300 FOR DETAILS

PHASE 3 TRACT TABLE

Tract Letter	Description / Notes
S	24' Fire Walk Firestream Trail Corridor, 1/4" depending north to intersect 10' Area at East 19th and West 19th, with: <ul style="list-style-type: none"> • Project on-site easement • Utility Vehicle/Access Easement for benefit of GWS and City of Forest Grove, between 19' Avenue and Public Use by Forest Grove Water Quality in Tract S (Food Quality Center in Tract S and S) • Access Agreement for benefit of Forest Grove Tenants/Homeowners Association, for maintenance of retaining walls/paths • Access easement for benefit of Tract V at both east & west adjacencies to 19' Avenue
T	Storm Water Quality Facility with: <ul style="list-style-type: none"> • Access easement for benefit of Tract V over the nearby 24' lot
U	Gales Creek Adopted Corridor 30' Also adjacent to urban area, for potential Right-of-Way street attachment pursuant to CMO permitting
V	Revised Area to be Deleted by Ordinance
W	Ret. Area
X	Replanned Road Mail Parcel / Pay Area

NOTES

1. SEE P300 FOR OVERVIEW OF PHASE 3, 4, AND 5.
2. SEE P301 FOR PHASE 1 AND PHASE 2.

WESTLAKE CONSULTING
 ENGINEERING • ARCHITECTURE • PLANNING
 1000 N. GALE CREEK DRIVE, SUITE 100, FOREST GROVE, OR 97117
 TEL: 503.261.1111 FAX: 503.261.1112

GALES CREEK TERRACE
 FOREST GROVE, OR
 PRELIMINARY PLAT - WEST

P302

SHEET NO. 2410-01

DATE: _____

DESIGNER: _____

CHECKED: _____

DATE: _____

DATE: _____

STAFF RECOMMENDATION

City Council approve the resolution to:

1. Accept the street right-of-way dedication.
2. Authorize the City Manager to execute the deed.
3. Authorize the City Recorder to record the deed.