

RESOLUTION NO. 812

A RESOLUTION TO ACCEPT RIGHT-OF-WAY FROM VARIOUS PROPERTY OWNERS ON N. IVY STREET.

WHEREAS, in order to complete the recent street improvements on N. Ivy Street, dedications of right-of-way and public easements were needed from various property owners; and

WHEREAS, CMC 16.88.060 requires the Canby City Council accept all property proposed to be dedicated to the City; and

WHEREAS, the property owners described in Exhibit A have proposed to dedicate a portion of their property to the City for road purposes; and

WHEREAS, the City Council believes this right-of-way would be a valuable asset to the City of Canby street system;

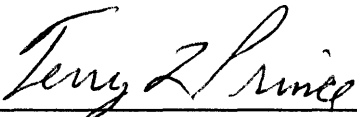
NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Canby, as follows:

Section 1. The Canby City Council accepts the Right-of-Way Dedications and described in Exhibit "A" attached hereto for the purpose of widening N. Ivy Street in the City of Canby.

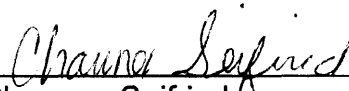
Section 2. The Canby City Council directs the Mayor of the City of Canby to execute the Deed for Road Purposes on behalf of the City and ensure that it is properly recorded in the Deed Records of Clackamas County, Oregon.

This Resolution shall take effect November 6, 2002.

ADOPTED this 6th day of November, 2002, by the Canby City Council.


Terry L Prince - Mayor

ATTEST:


Chaunee Seifried,
City Recorder, Pro-Tem

4
B

414
20-11-10
5m

AFTER RECORDING, RETURN TO: The City of Canby 182 N. Holly Street - P.O. Box 930 Canby, OR 97013	SEND TAX STATEMENT TO: The City of Canby Post Office Box 930 Canby, OR 97013
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**DEED FOR ROAD PURPOSES
AND GRANT OF EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, That Wells Fargo Bank, National Association as successor by merger to First Interstate Bank of Oregon, National Association, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

A portion of that tract of land conveyed to First Interstate Bank under instrument number 86-04314, Clackamas County deed records, more particularly described as the Street Dedication on the attached Exhibits "A" and "B".

Grantor also grants to Grantee a perpetual nonexclusive easement, subject to all prior rights, over the real property described as the Sidewalk & Utility Easement on attached Exhibits "A" and "B" to be used for sidewalk and underground utility purposes only. Grantee shall install improvements in the easement area and maintain the same in a good and workmanlike manner. All such work shall be preceded by prior written notice to Grantor, shall be completed expeditiously, and shall be scheduled and conducted so as to avoid interference with the use of Grantor's property by Grantor and its tenants and to avoid damage to the property, landscaping, and improvements of Grantor. Grantee shall pay all claims that arise from the grant of this easement and/or the use of the easement area. To the extent allowed by law, Grantee shall defend and indemnify Grantor regarding any such claim.

The true and actual consideration for this perpetual conveyance consists of other property or value given or promised, which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 23rd day of August, 2002, if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

WELLS FARGO BANK, NATIONAL ASSOCIATION

By: [Signature]
Its: Vice President
By: [Signature]
Its: Vice President

RECORDED IN CLACKAMAS COUNTY
ARDIS STEVENSON, COUNTY CLERK

2002-114071



\$46.00

00382990200201140710040047

11/22/2002 10:27:32 AM

D-D Cnt=2 Stn=1 DIANNAW
\$20.00 \$5.00 \$11.00 \$10.00

STATE OF OREGON)
) ss.
County of MULTNOMAH)

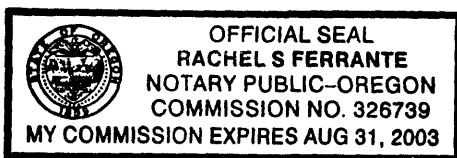
This instrument was acknowledged before me this 23rd day of August, 2002, by Glen Johnson, the Vice President of Wells Fargo Bank, N.A., on behalf of Wells Fargo Bank, N.A.



Rachel S. Ferrante
Notary Public for Oregon
My Commission Expires: August 31, 2003

STATE OF OREGON)
) ss.
County of MULTNOMAH)

This instrument was acknowledged before me this 23rd day of August, 2002, by Joe Weber, the Vice President of Wells Fargo Bank, N.A., on behalf of Wells Fargo Bank, N.A.



Rachel S. Ferrante
Notary Public for Oregon
My Commission Expires: August 31, 2003

Accepted:
The City of Canby

By: Terry L Prince
Its: Mayor

EXHIBIT "A"

Right-of-Way Dedication and Easement for
Roadway, Sidewalk and Utility Construction

WELLS FARGO BANK, NATIONAL ASSOCIATION
Tax Lot 1E33CA 5100

STREET DEDICATION:

A dedication of a portion of that tract of land conveyed to First Interstate Bank under instrument number 86-04314, Clackamas County Deed Records, more particularly described as follows: Beginning at the southwest corner of said tract, thence northwesterly along the southwestern boundary 61.40 feet more or less to the northwest corner of said tract, thence northeasterly 2.30 feet along the north boundary, thence southeasterly along a 294.02 foot radius curve right a distance of 61.88 feet more or less to a point on the southern boundary of said tract, said point being 9.00 feet northeast of the southwest corner, thence southwesterly along the said boundary a distance of 9.00 feet to the point of beginning, said dedication containing 414.03 square feet.

SIDEWALK & UTILITY EASEMENT:

A sidewalk and utility easement being an 8.00 foot wide strip of land parallel and abutting the above described dedication, said easement containing 494.92 square feet.

EXHIBIT B

STREET

IVY

NORTH

NE

SECOND

AVENUE

20'

2.30'

$R=294.02'$
 $\Delta=12^{\circ}03'30''$
 $L=61.88'$

89.68'

8' SIDEWALK AND
 UTILITY EASEMENT
 494.92 S.F.

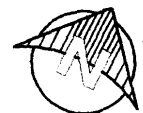
TAX LOT 31E 33CA 5100
 WELLS FARGO BANK

61.40'

89.68'

9.00'

STREET DEDICATION
 414.03 S.F.



SCALE: 1" = 20'

CURRAN-McLEOD, INC.
 CONSULTING ENGINEERS

(4)

RECORDED IN CLACKAMAS COUNTY
ARDIS STEVENSON, COUNTY CLERK

2002-114069



\$31.00

00382982200201140690030034

11/22/2002 10:27:32 AM

D-D Cnt=1 Stn=1 DIANNAW

\$10.00 \$11.00 \$10.00



**CLACKAMAS
COUNTY
RECORDING
DEPARTMENT
CERTIFICATE
PAGE**

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2/2

AFTER RECORDING, RETURN TO:

The City of Canby
182 N. Holly Street - P.O. Box 930
Canby, OR 97013

SEND TAX STATEMENT TO:

The City of Canby
Post Office Box 930
Canby, OR 97013

DEED FOR ROAD PURPOSES

KNOW ALL MEN BY THESE PRESENTS, That George C. and Donna L. Douglass, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property for purposes of road and utility improvements and road right-of-way, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

A portion of that tract of land conveyed to George C. and Donna L. Douglass under instrument number 92-63912, Clackamas County Deed Records, more specifically described as a 10 foot strip of land parallel and abutting the northeast boundary of said tract of land.

The true and actual consideration for this perpetual conveyance consists of other property or value given or promised, which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30th day of July, 2002, if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

George C. Douglass
George C. Douglass

7/30/02
Date

Donna L. Douglass
Donna L. Douglass

7/30/02
Date

STATE OF OREGON)
)ss.
County of CLACKAMAS)

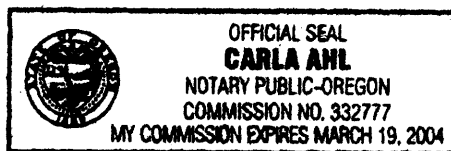
This instrument was acknowledged before me this 30th day of July, 2002
by George C. and Donna L. Douglass.

Carla Ahl
Notary Public for Oregon
My Commission Expires 3-19-04

Accepted:
The City of Canby

By: Terry L. Prince

Its: Mayor



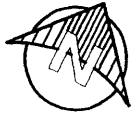
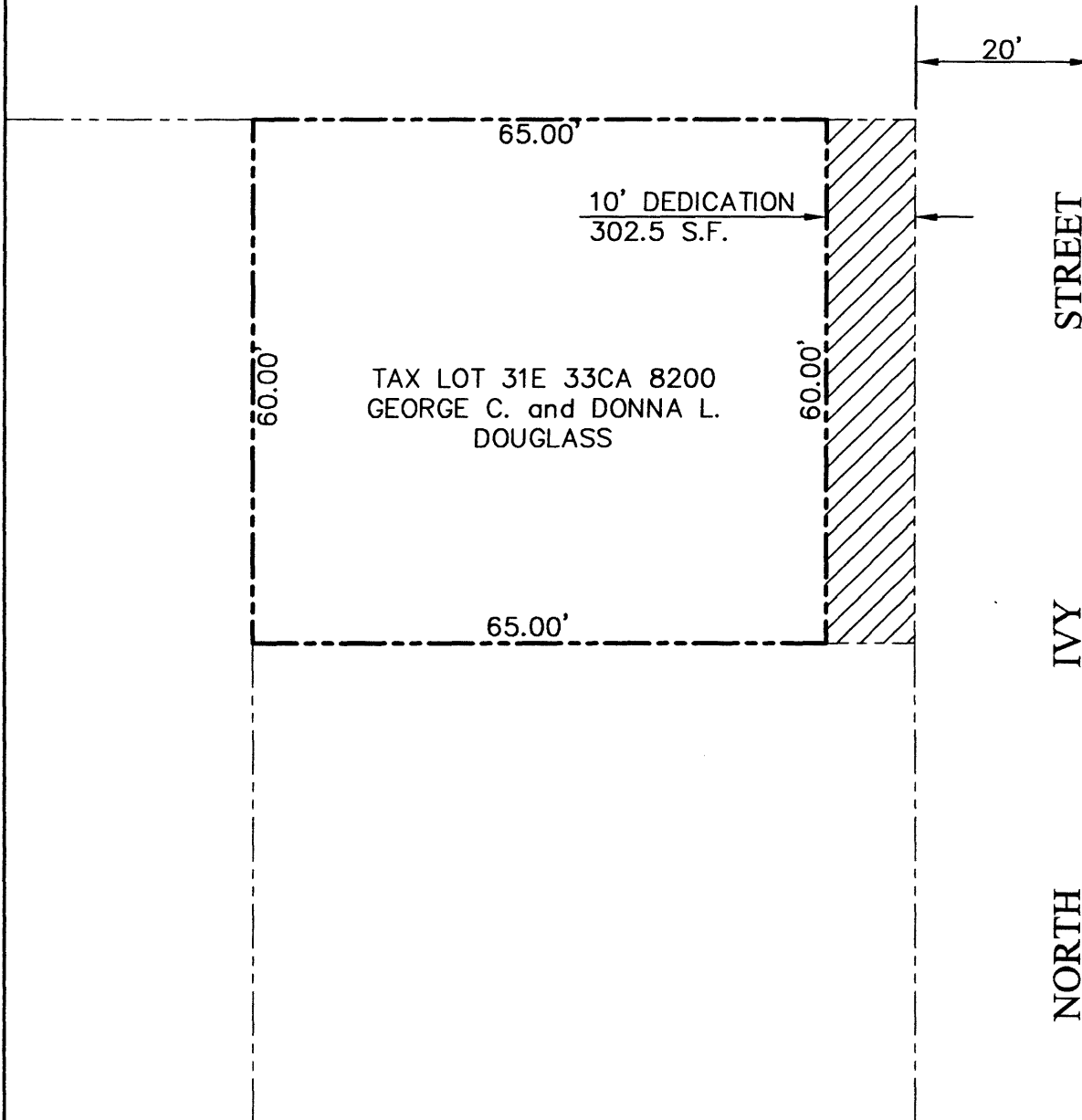


EXHIBIT B

NW THIRD AVENUE

SCALE: 1" = 20'



RECORDED IN CLACKAMAS COUNTY
ARDIS STEVENSON, COUNTY CLERK

2002-114070



\$31.00

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11/22/2002 10:27:32 AM

D-D Cnt=1 Stn=1 DIANNAW
\$10.00 \$11.00 \$10.00



**CLACKAMAS
COUNTY
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DEPARTMENT
CERTIFICATE
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The City of Canby
182 N. Holly Street - P.O. Box 930
Canby, OR 97013

SEND TAX STATEMENT TO:

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Canby, OR 97013

DEED FOR ROAD PURPOSES

KNOW ALL MEN BY THESE PRESENTS, That George C. and Donna L. Douglass, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property for purposes of road and utility improvements and road right-of-way, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

A portion of that tract of land conveyed to George C. and Donna L. Douglass under instrument number 86-13500, Clackamas County Deed Records, more specifically described as a 5 foot strip of land parallel and abutting the northeast boundary of said tract of land.

The true and actual consideration for this perpetual conveyance consists of other property or value given or promised, which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30th day of July, 2002; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

George C. Douglass
George C. Douglass

7/30/02
Date

Donna L. Douglass
Donna L. Douglass

7/30/02
Date

STATE OF OREGON)

)ss.

County of CLACKAMAS)

This instrument was acknowledged before me this 30th day of July, 2002 by George C. and Donna L. Douglass.

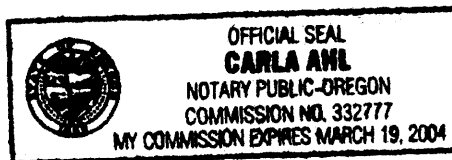
Carla Ahl
Notary Public for Oregon

My Commission Expires 3-19-04

Accepted:
The City of Canby

By: Terry L. Purnis

Its: Mayor



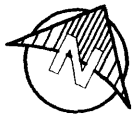
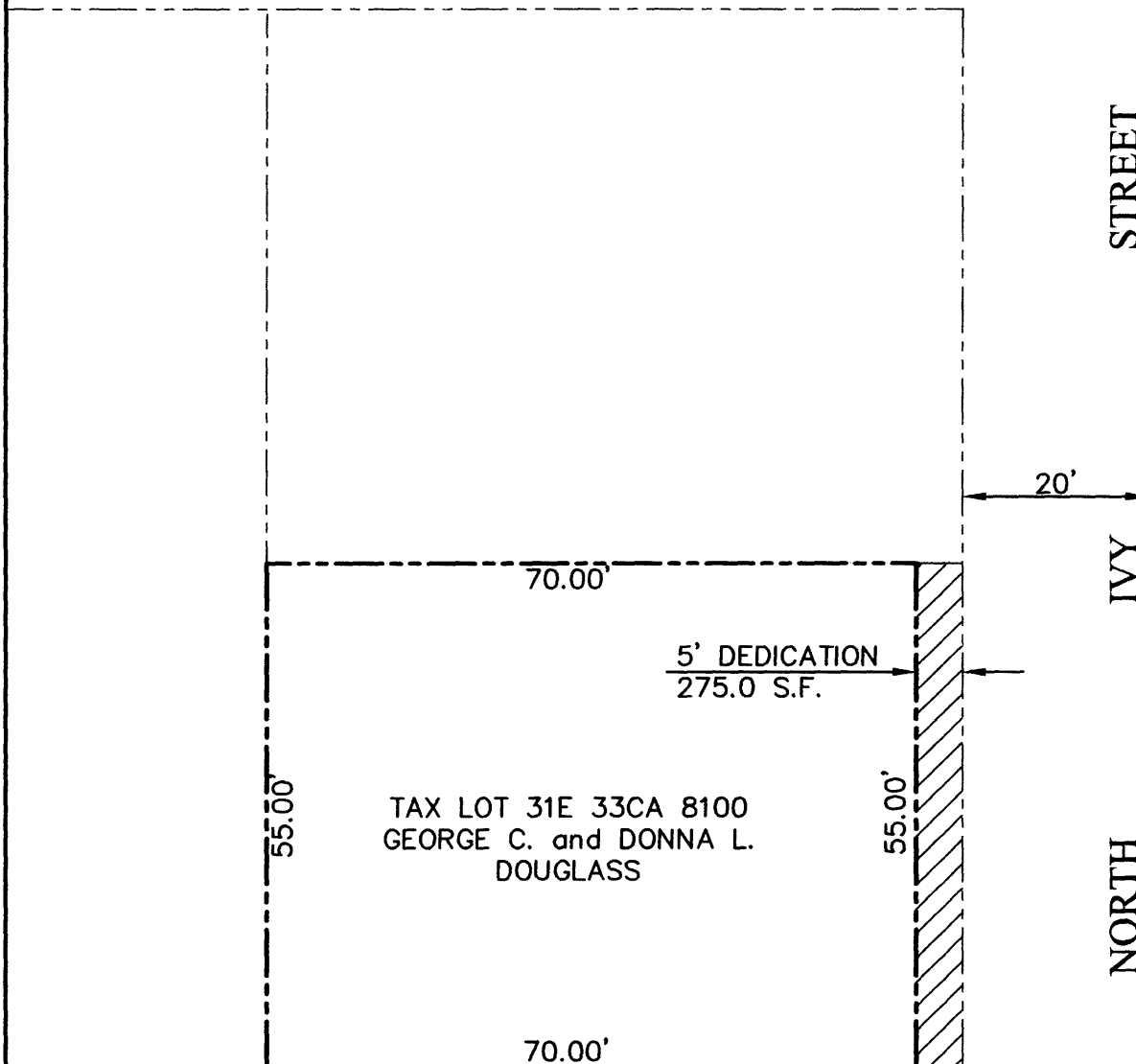


EXHIBIT B

NW THIRD AVENUE

SCALE: 1" = 20'



RECORDED IN CLACKAMAS COUNTY
ARDIS STEVENSON, COUNTY CLERK

2002-114068



\$36.00

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11/22/2002 10:27:32 AM

D-D Cnt=1 Stn=1 DIANNAW
\$15.00 \$11.00 \$10.00



**CLACKAMAS
COUNTY
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DEPARTMENT
CERTIFICATE
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3/3

AFTER RECORDING, RETURN TO:

The City of Canby
182 N. Holly Street - P.O. Box 930
Canby, OR 97013

SEND TAX STATEMENT TO:

The City of Canby
Post Office Box 930
Canby, OR 97013

DEED FOR ROAD PURPOSES

KNOW ALL MEN BY THESE PRESENTS, That ^{1.}Greg R. Young, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by the City of Canby, a Municipal Corporation, hereinafter called the grantee, does hereby grant bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property for purposes of road and utility improvements and road right-of-way, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Clackamas County, State of Oregon, described as follows, to-wit:

A portion of that tract of land conveyed to ^{2.}Greg R. Young under instrument number 94-88908, Clackamas County Deed Records, more specifically described as a 5 foot strip of land parallel and abutting the southwest boundary of said tract of land. See Exhibit "B" attached hereto and by this reference incorporated herein.

The true and actual consideration for this perpetual conveyance consists of other property or value given or promised, which is the whole consideration.

In construing this deed, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this _____ day of _____, 20____; if a corporate grantor, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

Greg R. Young
Greg R. Young

7/30/02
Date

STATE OF OREGON)
)ss.
County of CLACKAMAS)

This instrument was acknowledged before me this 30th day of July 2002,
by Greg R. Young.

Carla Ahl

Notary Public for Oregon

My Commission Expires

3-19-04

Accepted:
The City of Canby

By:

Terry Z. Princi

Its:

Mayor

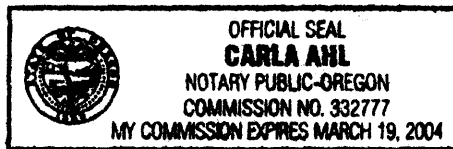
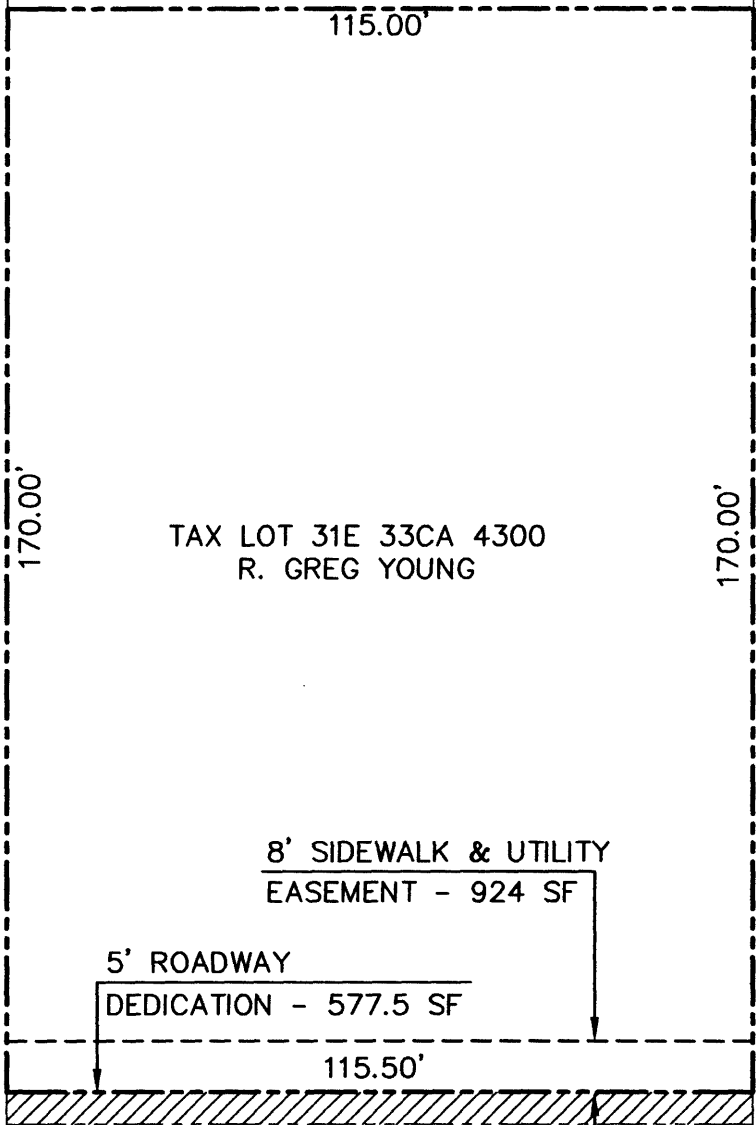


EXHIBIT B



SCALE: 1" = 30'

NE
THIRD
AVENUE



20'

NORTH

IVY

STREET

3
A
B

CURRAN-McLEOD, INC.
CONSULTING ENGINEERS