

**RESOLUTION NO. 910**

**A RESOLUTION ACCEPTING DEDICATION OF LAND FROM FRANK  
AND KATHLEEN CUTSFORTH FOR RIGHT-OF-WAY PURPOSES.**

**WHEREAS**, the City desires to obtain right-of-way for the construction of the intersection improvements at N. Territorial and OR 99E; and

**WHEREAS**, the property described in the attached deeds for road purposes (Exhibit A) is needed to be able to extend this road at its full right-of-way width; and

**WHEREAS**, Frank D. and Kathleen M. Cutsforth, being owners of the property, have offered the required additional right-of-way, as described in Exhibit A; and


**WHEREAS**, Section 16.88.060 of the Canby Municipal Code requires this right-of-way dedication to be accepted by the city council;

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

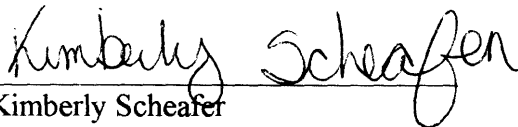
- (1) The Canby City Council accepts the two deeds for road purposes described in Exhibit A for right-of-way purposes.

This Resolution shall take effect on September 21, 2005.

**ADOPTED BY THE CANBY CITY COUNCIL** at a regular meeting thereof on September 21, 2005.

  
Teresa Blackwell  
Council President

ATTEST:

  
Kimberly Scheafer  
City Recorder, pro-tem

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**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**

**RECORDING COVER SHEET**

**DEED FOR ROAD PURPOSES**

**(3 1E 27DB 800)**

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## DEED FOR ROAD PURPOSES

KNOW ALL MEN BY THESE PRESENTS, That Frank D. Cutsforth and Kathleen M. Cutsforth, 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:

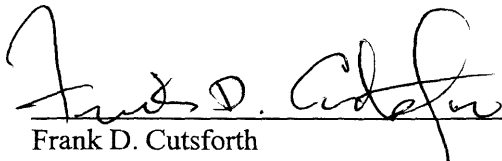
A portion of that tract of land conveyed to Frank D. Cutsforth and Kathleen M. Cutsforth, husband and wife, under instrument number 93-50421, Clackamas County Deed Records, more specifically described as dedication of a 10 foot strip of land parallel and abutting the northeast boundary of said tract of land; with a 20 foot slope easement being the southwesterly 20 foot strip of the northeastern 30 foot strip of land parallel and abutting said northeast boundary line, as shown on the attached exhibit A. (3 1E 27DB 800)

In addition, a temporary construction easement for reconstruction of the access driveway shall include the 50 foot strip of land parallel and abutting the northeast boundary of said tract. Temporary easement shall be null and void upon completion of the project.

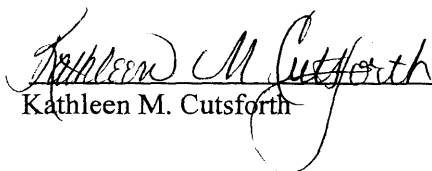
The true and actual consideration for this perpetual conveyance consists of other property or value given or promised, which is the whole consideration.

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 6<sup>th</sup> day of Sept., 2005; 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.

  
Frank D. Cutsforth

9/6/05  
Date

  
Kathleen M. Cutsforth

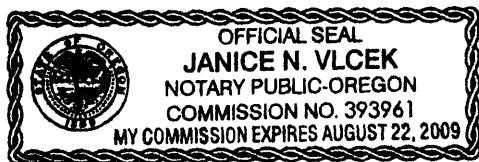
9/6/05  
Date

CUTSFORTH DEED FOR ROAD PURPOSES

Tax Lot 3 1E 27DB 800

STATE OF OREGON                    )  
  )ss.  
County of CLACKAMAS            )

This instrument was acknowledged before me this 6<sup>th</sup> day of September 2008,  
by Frank D. Cutsforth and Kathleen M. Cutsforth.



Janice N. Vlcek  
Notary Public for Oregon

Accepted:  
The City of Canby

My Commission Expires Aug. 22, 2009

By:

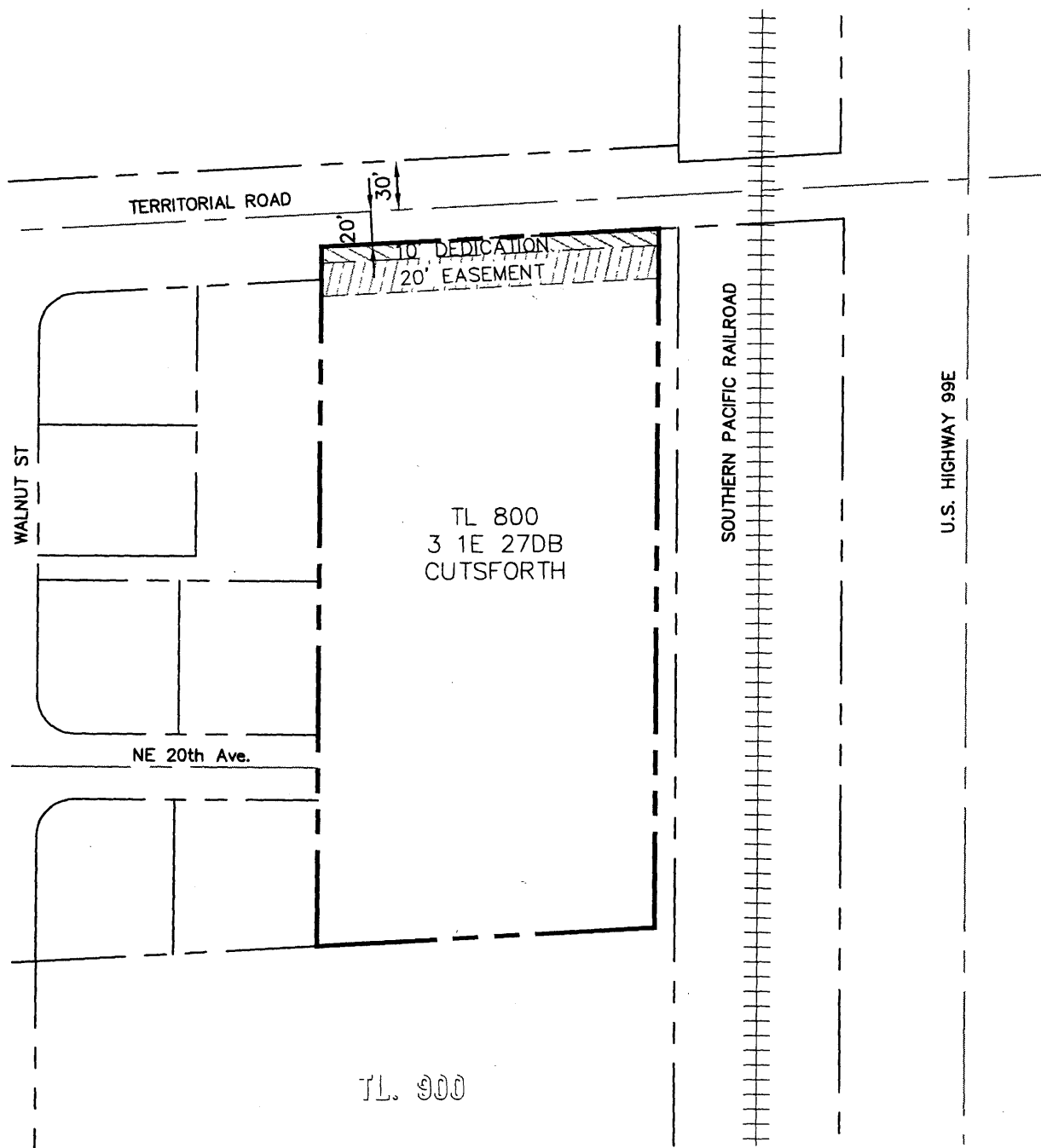
Its:

[Signature]  
[Signature]



# EXHIBIT "A"

SCALE: 1" = 100'



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**DEED FOR ROAD PURPOSES**

**(3 1E 27DB 900)**