

AN ORDINANCE VACATING A SECTION OF SUNDIAL ROAD AND RESERVING EASEMENTS FOR FACILITIES.

WHEREAS, Pursuant to ORS 271.120 a hearing was held on January 10, 1984 at which the Common Council made the following findings.

1. By Order No. 4840, Multnomah County Board of Commissioners surrendered jurisdiction of a section of Sundial Road to the City of Troutdale.
2. By Resolution No. 516 the Troutdale City Council has accepted the right-of-way surrendered by the Multnomah County Board of Commissioners.
3. All property owners adjoining the surrendered section of Sundial Road, in a manner required by Oregon law, have petitioned the Troutdale City Council to vacate said portion of Sundial Road.
4. All property owners adjoining the surrender section of Sundial Road represent more than the 2/3 of the effected property owners who must consent to the vacation as required by Oregon law.
5. Notice has been given to interested persons in a manner required by Oregon law.
6. A new roadway has been dedicated to the public which functionally replaces the vacated portion.
7. The public will not be prejudiced by the vacation.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE, THAT: The below described portion of Sundial Road is hereby vacated as a public road subject to the below stipulated conditions:

All that portion of Sundial Road, Multnomah County Road No. 1189, lying between the north right-of-way line of N.E. Marine Drive, County Road No. 3385, and Centerline Station 39+74.76 of said Sundial Road, said Station bears N. 38°21'26" E., 2620.79 feet from the southwest corner of Section 23, T1N, R3E, W.M., Multnomah County, Oregon.

The vacation is made subject to the granting of the following easements:

1. An easement reserved unto Northwest Natural Gas Company, General Telephone Company, and Portland General Electric Company, their successors and assigns, over the entire vacated area, and the right is reserved unto them to maintain, continue, repair, reconstruct, renew, replace and/or rebuild the existing facilities including the right of ingress and egress for said purposes.
2. An easement reserved unto the City of Troutdale, a municipal

corporation of the State of Oregon, its successors and assigns, over the entire vacated area for water, sewer, storm sewer and other public utilities now existing within said area together with the right to maintain, continue, rebuild, replace or repair said utility facilities including the right of ingress and egress for said purposes.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS tenth DAY OF January, 1984.

YEAS 6
NAYS 0

Sam K Cox

Sam K. Cox, MAYOR

Date Signed: 1-11-84

ATTEST:

Nancy B. Nixon
Nancy B. Nixon
FINANCE DIRECTOR/CITY RECORDER

STATE OF OREGON }
Multnomah County } ss.

I, a Deputy for the Recorder of Conveyances, in and for said County, do hereby certify that the within instrument of writing was received for record and recorded in the record of said County

1984 NOV -5 AM 9:13

RECORDING SECTION
MULTNOMAH CO. OREGON

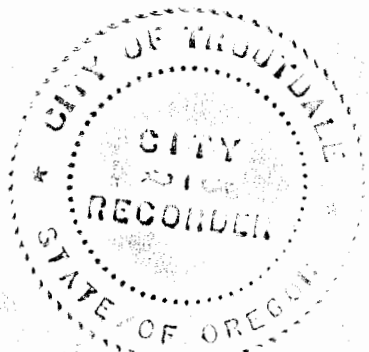
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witness my hand and seal of office affixed.

Recorder of Conveyances

J. Thonnard
Deputy



77496

*City of Troutdale
1048 E. Hebling
Troutdale
97060*