

RESOLUTION # 209

A RESOLUTION ACCEPTING THE DEDICATION OF A PORTION OF 257TH AVENUE.

WHEREAS the Comprehensive Plan for the City of Troutdale proposes that 257th Avenue be connected between Hensley Road and Cherry Park Road, and

WHEREAS said Comprehensive Plan, as well as the Arterial Transportation Plan for Multnomah County, designates 257th Avenue as a major arterial, and

WHEREAS the subdivision regulations of the City of Troutdale have set a right-of-way standard for a major arterial at 80-90 feet, and

WHEREAS the School District was required to dedicate the required right-of-way for 257th Avenue as a condition of the approval of the zone change for Columbia High School, and

WHEREAS there is a need for such a dedication to occur at the present time, and

WHEREAS the City's engineer has established a centerline for the said right-of-way, and has legally described that portion of the right-of-way located on the School District's property, which is more particularly described below, and

WHEREAS the proposed right-of-way has been reviewed by the Citizen's Advisory Committee, the Planning Commission, the City Council and the Reynolds School Board, and

WHEREAS the Reynolds School Board has officially acted upon this matter at an open meeting, thereby dedicating said property to the City of Troutdale as a public street, to use and to hold for the public use in perpetuity all that certain land situated in the County of Multnomah, State of Oregon, more particularly described as follows:

A tract of land situated in the Northeast Quarter, Section 35, Township 1 North, Range 3 East of the Willamette Meridian, County of Multnomah and the State of Oregon, more particularly described as follows:

Beginning at a point which bears S 89° 59' 20" E, a distance of 1318.65 feet and N 10° 10' 10" W, a distance of 664.96 feet from the center of Section 35, T1N, R3E, W.M., said point being the northeast corner of the tract of land recorded in Book 725, Page 601, thence westerly 45.0 feet along the northern boundary of said tract, thence northwesterly along the arc of a 557.96 foot radius curve to the left an arc distance of 325.98 feet ($\Delta = 33^\circ 28' 22''$) to a point of reverse curvature, thence northwesterly along the arc of a 647.96 foot radius curve to the right a distance of 325.53 feet ($\Delta = 28^\circ 47' 06''$) to a point of reverse curvature, thence northwesterly along the arc of a 25.0 foot radius curve to the left an arc distance of 37.22 feet ($\Delta = 85^\circ 18' 43''$) to the south right-of-way line of Cherry Park Road (County Road No. 571), thence easterly along the said south right-of-way line a distance of 87.75 feet to the intersection with the east right-of-way line of N. E. 257th Drive, thence northerly along said east right-of-way line a distance of 30 feet, thence easterly along the north boundary of a tract of land recorded in Book 923, Page 1360 a distance of 25.0 feet, thence southeasterly along the arc of a 557.96 foot radius curve to the left an arc distance of 325.98 feet ($\Delta = 33^\circ 28' 22''$) to a point of reverse curvature, thence southeasterly along the arc of a 647.96 foot curve to the right an arc distance of 135.65

feet ($\Delta = 11^{\circ} 59' 38''$) to a point on the east boundary of the above described tract of land, thence southerly along the said east boundary a distance of 237.26 feet to the point of beginning.

The above tract of land containing 1.25 acres, more or less.

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Troutdale accept the above dedicated land for public use, and

BE IT FURTHER RESOLVED that the City accept the obligation to maintain the above described property for the purposes set forth above and for no other inconsistent therewith.

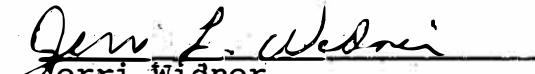
Passed by the Common Council of the City of Troutdale this 14th day of November, 1978.

YEAS: 4

NAYS: 0



R. M. Sturges, Mayor



Jerri Widner
Finance Director/
City Recorder

DECLARATION OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Reynolds School District No. 7, the County of Multnomah, State of Oregon, does hereby dedicate, for the purpose of a public street to the City of Troutdale, County of Multnomah, State of Oregon, to use and hold for the public use in perpetuity all that certain land situated in the County of Multnomah, State of Oregon, described as follows:

A tract of land situated in the Northeast Quarter, Section 35, Township 1 North, Range 3 East of the Willamette Meridian, County of Multnomah and the State of Oregon, more particularly described as follows:

Beginning at a point which bears S $89^{\circ} 59' 20''$ E, a distance of 1318.65 feet and N $10^{\circ} 10' 10''$ W, a distance of 664.96 feet from the center of Section 35, T1N, R3E, W.M., said point being the northeast corner of the tract of land recorded in Book 725, Page 601, thence westerly 45.0 feet along the northern boundary of said tract, thence northwesterly along the arc of a 557.96 foot radius curve to the left an arc distance of 325.98 feet ($\Delta = 33^{\circ} 28' 22''$) to a point of reverse curvature, thence northwesterly along the arc of a 647.96 foot radius curve to the right a distance of 325.53 feet ($\Delta = 28^{\circ} 47' 06''$) to a point of reverse curvature, thence northwesterly along the arc of a 25.0 foot radius curve to the left an arc distance of 37.22 feet ($\Delta = 85^{\circ} 18' 43''$) to the south right-of-way line of Cherry Park Road (County Road No. 571), thence easterly along the said south right-of-way line a distance of 87.75 feet to the intersection with the east right-of-way line of N. E. 257th Drive, thence northerly along said east right-of-way line a distance of 30 feet, thence easterly along the north boundary of a tract of land recorded in Book 923, Page 1360 a distance of 25.0 feet, thence southeasterly along the arc of a 557.96 foot radius curve to the left an arc distance of 325.98 feet ($\Delta = 33^{\circ} 28' 22''$) to a point of reverse curvature, thence southeasterly along the arc of a 647.96 foot curve to the

right an arc distance of 135.65 feet ($\Delta = 11^{\circ} 59' 38''$) to a point on the east boundary of the above described tract of land, thence southerly along the said east boundary a distance of 237.26 feet to the point of beginning.

The above tract of land containing 1.25 acres, more or less.

By acceptance of this Dedication by the City, the City shall accept the obligation to maintain the above-described property for the purposes set forth above and for no other inconsistent therewith.

IN WITNESS WHEREOF, this Declaration of Dedication has been executed on the _____ day of _____, 19__.

STATE OF OREGON)
County of _____) : ss:

BEFORE ME, personally appeared the above named _____ and acknowledged that the foregoing instrument is _____ voluntary act and deed.

Notary Public for Oregon
My Commission expires: _____

CERTIFICATION

I, _____, the recorder of the City of Troutdale, hereby certify that this Dedication has been accepted by the common council of the City of Troutdale by Resolution No. _____ dated the _____ day of _____, 19__, and that the common council of the City of Troutdale has consented to the recordation of this Declaration of Dedication.

DATED _____.

CITY RECORDER

By _____

SUBSCRIBED and sworn to before me this _____ day of _____, 1978.

Notary Public for Oregon
My Commission expires: _____

GRANT OF EASEMENT FOR WELL SITE

Reynolds School District No. 7, a school district of the State of Oregon, hereinafter referred to as "Grantors", in consideration of \$1.00 and other good and valuable consideration, the receipt of which is acknowledged, does hereby grant to the City of Troutdale, a municipal corporation of the State of Oregon, its successors and assigns, hereinafter referred to as "Grantee", an easement for the following purposes, namely:

The right, easement and privilege of constructing, maintaining, operating, inspecting and repairing public utilities, including but not limited to a well for public water supply and the necessary appurtenances thereto, placed thereon and therein, together with the right of ingress and egress, when necessary, for the purposes above mentioned, on, over, under and across the ground embraced within the right-of-way situated on the following described lands located in the City of Troutdale, County of Multnomah and State of Oregon:

A tract of land situated in the northeast quarter of Section 35, T1N, R3E, W.M. more particularly described as follows:

Beginning at a point which lies S 89° 56' 40" W a distance of 45 feet from the southeast corner of the tract of land recorded in Book 923, Page 1360, Multnomah County Record of Deeds, thence S 89° 56' 40" W a distance of 100 feet; thence N 0° 10' 10" W a distance of 100 feet, thence N 89° 56' 40" E a distance of 90.97 feet more or less to the west right-of-way line for 257th Drive, thence southeasterly along the arc of a 557.96 feet radius curve an arc distance of 100.54 feet and through a control angle of 10° 19' 23" to the point of beginning.

This easement shall be subject to the following stipulation:

Grantor agrees to restrict its use of its property within 100 feet of the actual well site so as to not create an actual or implied sanitary hazard to the ground water supply. Normal use of the land will not be restricted except that no sanitary sewers or drain fields shall be constructed within 100 feet of the well.

TO HAVE AND TO HOLD the said Easement unto the City of Troutdale, its successors and assigns forever. The Grantors covenant that they are the owners in fee simple of the real property described herein.

IN WITNESS WHEREOF, the Grantors have granted this Easement this _____ day of _____, 19 .

State of Oregon)
) ss
County of Multnomah)

_____ 1978

Personally appeared _____
and _____ who, being duly sworn, each for himself and not one for the other, did say that former is the Chairman of the Board of Reynolds School District No. 7 and that the latter is the Deputy-Clerk of Reynolds School District No. 7 and that this easement was executed in behalf of Reynolds School District No. 7 by authority of its Board; and each of them acknowledged that this instrument is the voluntary act and deed of themselves and Reynolds School District No. 7.

Before me:

Notary Public for Oregon

My commission expires: _____