

A RESOLUTION ACCEPTING A UTILITY EASEMENT AGREEMENT ACROSS MULTNOMAH COUNTY PROPERTY IN SECTION 26, T1N, R3E, W.M.

WHEREAS, such property is needed for the purpose of constructing, maintaining, operating, inspecting and repairing a sanitary sewer pipe and necessary appurtenances thereto beneath the surface of the ground, including the right of ingress and egress, when necessary across the real property located in the County of Multnomah and State of Oregon; and

WHEREAS, Multnomah County and the City of Troutdale have reached agreement on the improvements and maintenance of this property,

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THAT:

The City does hereby accept a utility easement(s) described as follows:

- a. A 40.00 foot easement lying southerly of the southerly right-of-way line of the Union Pacific Railroad in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

Beginning at the intersection of the southwesterly right-of-way line of NE Sandy Boulevard with the southerly right-of-way line of the Union Pacific Railroad, thence southwesterly along said railroad right-of-way line 1200.00 feet; thence southerly measured at right angles from said right-of-way line 40.00 feet; thence northeasterly parallel with and 40.00 feet from said railroad right-of-way line 1255 feet, more or less, to a point in the southwesterly right-of-way line of NE. Sandy Boulevard; thence northwesterly along said right-of-way line 70 feet, more or less, to the true point of beginning of this description, as shown on the accompanying sketch which is hereby made part of this instrument.

Subject to restrictions, reservations and easements of record.

- b. A strip of land 10.00 feet in width in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

The west 10.00 feet of strip of land 16.00 feet in width lying westerly of and adjacent to the east line of the J. M. STOTT DONATION LAND CLAIM, and lying north of the north right-of-way line of NE Halsey Street, County Road No. 1180, and south of the south right-of-way line of Sandy, an Oregon State Highway, also known as West Columbia Street.

ALSO a tract of land in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

Please Return to:

City of Troutdale
104 SE Kibling Street
Troutdale, OR 97060

The west 44.00 feet of the east 60.00 feet of a parcel of land lying westerly of and adjacent to the east line of the J. M. STOTT DONATION LAND CLAIM and extending from the south right-of-way line of Sandy Road, an Oregon State Highway, also known as West Columbia Street, southerly 40.00 feet and parallel to said south right of way line.

Subject to restrictions, reservations and easements of record.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 27th DAY OF MARCH, 1984.

YEAS 6

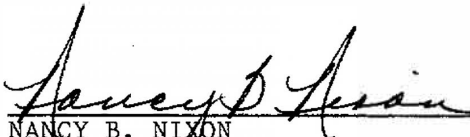
NAYS 0



SAM K. COX, MAYOR

Date Signed: 3-30-84

ATTEST:



NANCY B. NIXON
FINANCE DIRECTOR/CITY RECORDER



SANITARY SEWER EASEMENT

THIS INDENTURE made this 27th day of March, 1984, between
 MULTNOMAH COUNTY, OREGON, hereinafter called "Grantor", and the CITY OF
 TROUTDALE, a municipal corporation, hereinafter called "Grantee",

W I T N E S S E T H:

That for and in consideration of the sum of One Dollar (\$1.00) and/or other good and valuable consideration, the Grantor has this day bargained and sold and by these presents does bargain, sell, convey, transfer and deliver unto the Grantee a permanent easement, including the perpetual right to enter upon the real estate hereinafter described at any time that it may see fit and construct, maintain and repair sanitary sewer facilities as may now or hereafter be required for the purpose of conveying therethrough all or any part of the sewage and industrial waste of the area served by this line with all necessary and usual appurtenances therefore over, under and across so much of that tract of land described as:

PARCEL I:

A strip of land 10.00 feet in width in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

The west 10.00 feet of strip of land 16.00 feet in width lying westerly of and adjacent to the east line of the J.M. STOTT DONATION LAND CLAIM, and lying north of the north right-of-way line of NE Halsey Street, County Road No. 1180, and south of the south right-of-way line of Sandy, an Oregon State Highway, also known as West Columbia Street.

PARCEL II:

A tract of land in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

The west 44.00 feet of the east 60.00 feet of a parcel of land lying westerly of and adjacent to the east line of the J.M. STOTT DONATION LAND CLAIM and extending from the south right-of-way line of Sandy Road, an Oregon State Highway, also known as West Columbia Street, southerly 40.00 feet, and parallel to said south right-of-way line.

In addition to the above described permanent easement, a temporary easement and right-of-way upon, across and under so much of the aforesaid land described as:

The west 14.00 feet and the east 6.00 feet of a strip of land 30.00 feet in width lying westerly of and adjacent to the aforesaid east line of the J.M. STOTT DONATION LAND CLAIM, and lying north of the north right-of-way line of NE Halsey Street, County Road No. 1180, and south of the south right-of-way line of Sandy Road, an Oregon State Highway, also known as West Columbia Street.

IN WITNESS WHEREOF, Multnomah County has caused these presents to be executed by its County Executive this 27th day of March, 1984, by authority of an Order of said Board heretofore entered of record.

MULTNOMAH COUNTY, OREGON

By *Dennis Buchman*
DENNIS BUCHMAN, County Executive

(SEAL)
3/27/84

APPROVED:

PAUL YARBOROUGH, Director
Dept. of Environmental Services

By *Paul Yarborough/blw*

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
Multnomah County, Oregon

By *John Leahy*

STATE OF OREGON)
) SS
County of Multnomah)

On this 27th day of March, 1984, before me, a Notary Public in and for said County and State, personally appeared Dennis Buchanan, to me personally known, who, being duly sworn, did say that he, Dennis Buchanan, is the County Executive of Multnomah County, Oregon, and that the seal affixed to said instrument is the corporate seal of said Multnomah County, and that said instrument was signed and sealed on behalf of said County by authority of its Board of County Commissioners, by the said Dennis Buchanan, who acknowledged said instrument to be the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.

Barbara E. Jones
Notary Public for Oregon
My Commission expires 1/06/86



BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

BOOK 1827 PAGE 381

In the Matter of the Execution of a Deed)
from MULTNOMAH COUNTY, a political sub-)
division of the State of Oregon, granting)
unto the City of Troutdale, a municipal)
corporation of the State of Oregon, a)
Perpetual Easement for Construction and)
Maintenance of Sewer Facilities.)
_____)

ORDER

The above entitled matter is before the Board to consider the execution of a deed conveying a perpetual easement unto the City of Troutdale for the construction and maintenance of sewer facilities over the land hereinafter described; and

It appearing to the Board that it would be to the best interest of Multnomah County to execute said deed conveying certain real property unto said Troutdale; and that the Director, Department of Environmental Services of Multnomah County has recommended that said deed be executed for the construction and maintenance of sewer facilities; now, therefore, it is hereby

ORDERED that said deed of MULTNOMAH COUNTY, a political subdivision of the State of Oregon, conveying unto said Troutdale, the following described real property situated in the County of Multnomah and State of Oregon, to-wit:

PARCEL I:

A strip of land 10.00 feet in width in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

The west 10.00 feet of strip of land 16.00 feet in width lying westerly of and adjacent to the east line of the J.M. STOTT DONATION LAND CLAIM, and lying north of the north right-of-way line of NE Halsey Street, County Road No. 1180, and south of the south right-of-way line of Sandy, an Oregon State Highway, also known as West Columbia Street.

PARCEL II:

A tract of land in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

The west 44.00 feet of the east 60.00 feet of a parcel of land lying westerly of and adjacent to the east line of the J.M. STOTT DONATION LAND CLAIM and extending from the south right-of-way line of Sandy Road, an Oregon State Highway, also known as West Columbia Street, southerly 40.00 feet, and parallel to said south right-of-way line.

In addition to the above described permanent easement, a temporary easement and right-of-way upon, across and under so much of the aforesaid land described as:

The west 14.00 feet and the east 6.00 feet of a strip of land 30.00 feet in width lying westerly of and adjacent to the aforesaid east line of the J.M. STOTT DONATION LAND CLAIM, and lying north of the north right-of-way line of NE Halsey Street, County Road No. 1180, and south of the south right-of-way line of Sandy Road, an Oregon State Highway, also known as West Columbia Street.

be executed on behalf of Multnomah County, Oregon, by the County Executive, and it is

FURTHER ORDERED that said executed deed be transmitted to said City of Troutdale, Oregon.

3/27/84

(SEAL)

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Presiding Officer

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
for Multnomah County, Oregon

By 

THIS INDENTURE made this 23rd day of March, 1984, between MULTNOMAH COUNTY, OREGON, hereinafter called "Grantor", and the CITY OF TROUTDALE, a municipal corporation, hereinafter called "Grantee",

W I T N E S S E T H:

That for and in consideration of the sum of One Dollar (\$1.00) and/or other good and valuable consideration, the Grantor has this day bargained and sold and by these presents does bargain, sell, convey, transfer and deliver unto the Grantee a permanent easement, including the perpetual right to enter upon the real estate hereinafter described at any time that it may see fit and construct, maintain and repair sanitary sewer facilities as may now or hereafter be required for the purpose of conveying there-through all or any part of the sewage and industrial waste of the area served by this line with all necessary and usual appurtenances therefore over, under and across so much of that tract of land described as:

A 40.00 foot easement lying southerly of the southerly right-of-way line of the Union Pacific Railroad in Section 26, T1N, R3 E, W.M., Multnomah County, Oregon, described as follows:

Beginning at the intersection of the southwesterly right-of-way line of NE Sandy Blvd. with the southerly right-of-way line of the Union Pacific Railroad, thence southwesterly along said railroad right-of-way line 1200.00 feet; thence southerly measured at right angles from said right-of-way line 40.00 feet; thence northeasterly parallel with and 40.00 feet from said railroad right-of-way line 1255 feet, more or less, to a point in the southwesterly right-of-way line of NE Sandy Blvd.; thence northwesterly along said right-of-way line 70 feet, more or less, to the true point of beginning of this description, as shown on the accompanying sketch which is hereby made a part of this instrument.

IN WITNESS WHEREOF, Multnomah County has caused these presents to be executed by its County Executive this 23rd day of March, 1984, by authority of an Order of said Board heretofore entered of record.

(SEAL)

MULTNOMAH COUNTY, OREGON

By *Dennis Buchanan*
DENNIS BUCHANAN, County Executive

APPROVED:

PAUL YARBOROUGH, Director
Dept. of Environmental Services

By *Paul Yarbrough*

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
Multnomah County, Oregon

By *John B. Leahy*

STATE OF OREGON)
) ss
County of Multnomah)

On this 23rd day of March, 1984, before me, a Notary Public in and for said County and State, personally appeared Dennis Buchanan, to me personally known, who, being duly sworn, did say that he, Dennis Buchanan, is the County Executive of Multnomah County, Oregon, and that the seal affixed to said instrument is the corporate seal of said Multnomah County, and that said instrument was signed and sealed on behalf of said County by authority of its Board of County Commissioners, by the said Dennis Buchanan, who acknowledged said instrument to be the free act and deed of said County.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first in this, my certificate, written.

(SEAL)

B. E. [Signature]
Notary Public for Oregon
My Commission expires 1/06/86

FOR MULTNOMAH COUNTY, OREGON

In the Matter of the Execution of a Deed)
from MULTNOMAH COUNTY, a political sub-)
division of the State of Oregon, granting)
unto the City of Troutdale, a municipal)
corporation of the State of Oregon, a)
Perpetual Easement for Construction and)
Maintenance of Sewer Facilities.)

O R D E R

The above entitled matter is before the Board to consider the execution of a deed conveying a perpetual easement unto the City of Troutdale for the construction and maintenance of sewer facilities over the land hereinafter described; and

It appearing to the Board that it would be to the best interest of Multnomah County to execute said deed conveying certain real property unto said Troutdale; and that the Director, Department of Environmental Services of Multnomah County has recommended that said deed be executed for the construction and maintenance of sewer facilities; now, therefore, it is hereby

ORDERED that said deed of MULTNOMAH COUNTY, a political subdivision of the State of Oregon, conveying unto said Troutdale, the following described real property situated in the County of Multnomah and State of Oregon, to-wit:

A 40.00 foot easement lying southerly of the southerly right-of-way line of the Union Pacific Railroad in Section 26, T1N, R3E, W.M., Multnomah County, Oregon, described as follows:

Beginning at the intersection of the southwesterly right-of-way line of NE Sandy Blvd. with the southerly right-of-way line of the Union Pacific Railroad, thence southwesterly along said railroad right-of-way line 1200.00 feet; thence southerly measured at right angles from said right-of-way line 40.00 feet; thence northeasterly parallel with and 40.00 feet from said railroad right-of-way line 1255 feet, more or less, to a point in the southwesterly right-of-way line of NE Sandy Blvd.; thence northwesterly along said right-of-way line 70 feet, more or less, to the true point of beginning of this description, as shown on the accompanying sketch which is hereby made a part of this instrument.

ORDER IN THE MATTER OF EXECUTION
OF DEED FOR SEWER PURPOSES

be executed on behalf of Multnomah County, Oregon, by the County Executive,
and it is

FURTHER ORDERED that said executed deed be transmitted to said City of
Troutdale, Oregon.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

(SEAL)

Arnold Biskamp
Presiding Officer

3/22/84

APPROVED AS TO FORM:

JOHN B. LEAHY, County Counsel
for Multnomah County, Oregon

By *John B. Leahy*

State of Oregon)
County of Multnomah) ss

Asst.

I, Barbara E. Jones, Clerk of the Board
of County Commissioners of Multnomah County, Oregon, do hereby certify
that the foregoing copy of Orders & Easements (2) has been compared
by me with the originals, as the same appears of record in my office
and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the seal of the Board of County Commissioners this 27th
day of March, A. D., 1984.

(SEAL)

Barbara E. Jones
Asst. Clerk of Board of
County Commissioners

36707

STATE OF OREGON }
Multnomah County ss.

I, a Deputy 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.



In Book 1827 On Page 376

witness my hand and seal of office affixed.
Recorder of Conveyances

J. Bennett
Deputy

RECORD COPY
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