

RESOLUTION NO. 591-R

A RESOLUTION VACATING AN EASEMENT ACROSS PROPERTY OWNED BY BRAD THOMAS AND WADE JOHNSON IN SECTION 36, T1N, R3E, W.M., MULTNOMAH COUNTY, STATE OF OREGON AND ACCEPTING AN EASEMENT ACROSS PROPERTY OWNED BY BRAD THOMAS AND WADE JOHNSON IN SECTION 36, T1N, R3E, W.M., MULTNOMAH COUNTY, STATE OF OREGON.

WHEREAS, the City of Troutdale, by Resolution No. 591-R, accepted easement rights for the purposes of constructing, maintaining, operating, inspecting and repairing easements and drainage facilities and necessary appurtenances thereto beneath, above or on 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 the State of Oregon, described in Exhibit A, attached hereto, and

WHEREAS, construction modifications require the relocation of said easement:

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

The City of Troutdale does hereby relinquish the easement on the following described tract:

Lot 26, Block 9, Sandee Palisades, in the City of Troutdale, County of Multnomah and State of Oregon, and

A tract of land in the East one-half, Section 36, Township 1 North, Range 3 East of the Willamette Meridian, City of Troutdale, County of Multnomah and State of Oregon described as follows: Beginning at the most Northerly corner of Lot 26, Block 9, Sandee Palisades; thence South $70^{\circ} 19' 19''$ West along the northerly line of said Lot 26, Block 9, a distance of 120.19 feet to the most Westerly corner of said Lot 26, Block 9; thence North $9^{\circ} 32' 30''$ West, 15.00 feet; thence North $77^{\circ} 29' 54''$ East, 118.47 feet to the point of beginning.


And, the City of Troutdale does hereby accept an easement for the same intent and purposes on the following described tract:

A tract of land in the East one-half, Section 36, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, County of Multnomah and State of Oregon described as follows: Beginning at the most Northerly corner of Lot 26, Block 9, Sandee Palisades; thence South 70° 19' 19" West along the Northerly line of said Lot 26, Block 9, a distance of 120.19 feet to the most Westerly corner of said Lot 26, Block 9; thence North 9° 32' 30" West, 15.00 feet; thence North 77° 28' 54" East, 118.47 feet to the point of beginning, TOGETHER WITH Lot 26, Block 9, Sandee Palisades, in the City of Troutdale, County of Multnomah and State of Oregon.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS
FOURTEENTH DAY OF MAY, 1985.

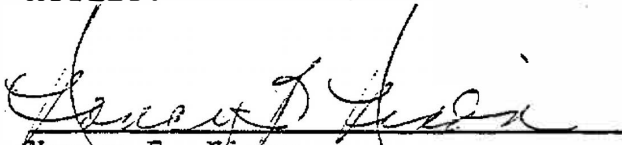
YEAS 5

NAYS 0



Sam K. Cox, MAYOR
Date Signed: MAY 15, 1985

ATTEST:



Nancy B. Nixon,
Finance Director/City Recorder

10.7



STATUTORY WARRANTY DEED

Book A
1639 SE EUANS
BOOK 1833 PAGE 0766

~~BOOK 1833 PAGE 2105~~

BRAD THOMAS and WADE JOHNSON, as tenants in common Grantor,
convey and warrants to DAVID S. FLOOD Grantee,
the following described real property free of liens and encumbrances, except as specifically set forth herein:

PARCEL I: Lot 26, Block 9, SANDEE PALISADES, in the City of Troutdale, County of Multnomah and State of Oregon.

PARCEL II: A tract of land in the East 1/2, Section 36, Township 1 North, Range 3 East, Willamette Meridian, in the City of Troutdale, County of Multnomah and State of Oregon; and said tract being described as follows:

Beginning at the most Northerly corner of Lot 26, Block 9, SANDEE PALISADES; thence South 70° 19' 19" West along the Northerly line of said Lot 26, Block 9; a distance of 120.19 feet to the most Westerly corner of said Lot 26, Block 9.; thence North 9° 32' 30" West, 15.00 feet, thence North 77° 28' 54" East; 118.47 feet to the point of beginning.

This document being re-recorded to correct the grantee's name.

Handled By
First American Title Insurance Company of Oregon
374780

No. This property is free of liens and encumbrances, EXCEPT: Easement as shown on the recorded plat. Declaration of conditions and restrictions, including the terms and provisions thereof, of record.

The true consideration for this conveyance is \$58,380.00

DATED this 9th day of May 19 85.

Brad Thomas Wade Johnson
Brad Thomas Wade Johnson

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON, County of Multnomah ss. STATE OF OREGON, County of _____ ss.

The foregoing instrument was acknowledged before me this 9th day of May 19 85 by Brad Thomas and Wade Johnson of _____ a corporation, on behalf of the corporation.

Steve A. Pursell Notary Public for Oregon My commission expires: 01/02/88
M. Burt Notary Public for Oregon My commission expires: _____

SEAL

SEAL

THIS SPACE RESERVED FOR RECORDER'S USE

Title Order No. 574780
Escrow No. 85-3-129

*For recording return to:
FLOOD, David S
1639 SE Evans
Troutdale, Oregon 97060
NAME, ADDRESS, ZIP

Use a change in reported title statements shall be set to the full
same as above

NAME, ADDRESS, ZIP

1. A check for the Recorder of Deeds shall be sent by the grantor to the Recorder of Deeds at the time of recording of this instrument.

1985 MAY 15 PM 2:21
RECORDING SECTION
MULTNOMAH CO. OREGON

1823

M Burt



BOOK 1833 PAGE 9767

43710

STATE OF OREGON
Multnomah County

To Shew by the Records of Conveyance, in and for
the County of Multnomah, Oregon, that the within instrument is
being here referred to, and recorded in the Public
Office of said County.

1935 JUN 26 PM 2:13

RECORDING SECTION
MULTNOMAH CO. OREGON

On Page

1833 766

Number of Conveyance

M. B. Bunker
Deputy

5

3EN

LEGAL DESCRIPTION,
LOT LINE ADJUSTMENT LOT 26, BLOCK 9
SANDEE PALISADES

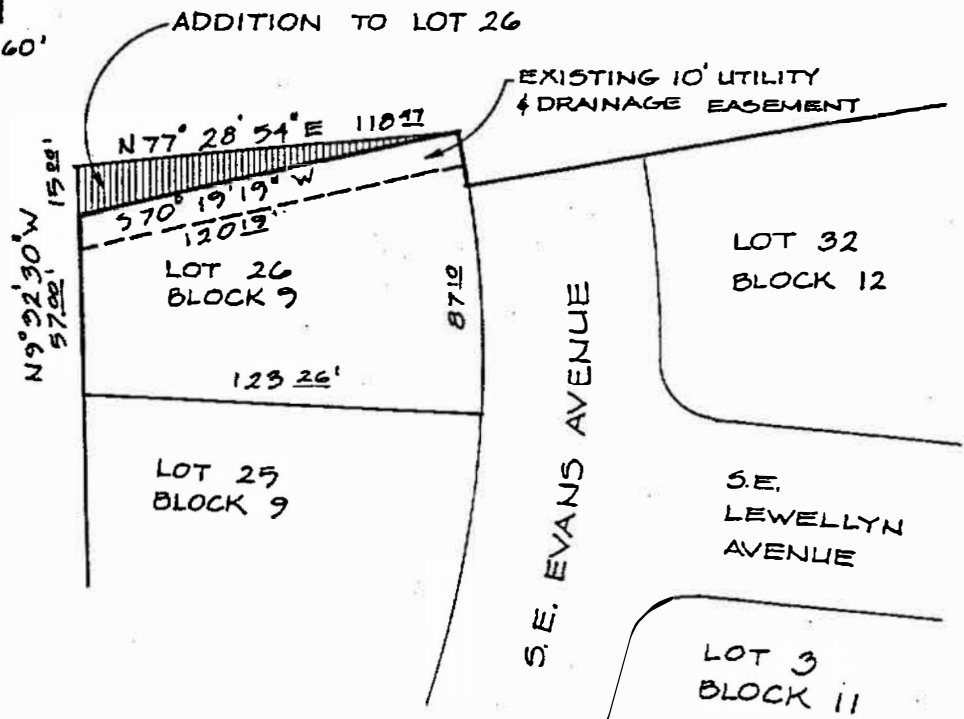
A tract of land in the East 1/2, Section 36, Township 1 North, Range 3 East., Willamette Meridian, City of Troutdale, Multnomah County, Oregon; said tract being described as follows:

Beginning at the most northerly corner of Lot 26, Block 9, SANDEE PALISADES; thence South $70^{\circ}19'19''$ West along the northerly line of said Lot 26, Block 9, a distance of 120.19 feet to the most westerly corner of said Lot 26, Block 9; thence North $9^{\circ}32'30''$ West, 15.00 feet; thence North $77^{\circ}28'54''$ East; 118.47 feet to the point of beginning. Containing 887 square feet, more or less.

MAP TO ACCOMPANY
LEGAL DESCRIPTION



SCALE: 1"=60'



PLAT OF
SANDEE PALISADES

CITY OF TROUTDALE
MULTNOMAH COUNTY
SECTION 36, T.1N, R3E, W.M.

VACATION OF EXISTING EASEMENT and DEDICATION OF NEW EASEMENT

BRAD THOMAS and WADE JOHNSON are the owners and record title holders of the following parcels:

Lot 26, Block 9, SANDEE PALISADES, in the City of Troutdale, County of Multnomah and State of Oregon, and

A tract of land in the East one-half, Section 36, Township 1 North, Range 3 East of the Willamette Meridian, City of Troutdale, County of Multnomah and State of Oregon, described as follows: Beginning at the most Northerly corner of Lot 26, Block 9, SANDEE PALISADES; thence South $70^{\circ}19'19''$ West along the Northerly line of said Lot 26, Block 9, a distance of 120.19 feet to the most Westerly corner of said Lot 26, Block 9; thence North $9^{\circ}32'30''$ West, 15.00 feet; thence North $77^{\circ}28'54''$ East, 118.47 feet to the point of beginning.


And BRAD THOMAS and WADE JOHNSON were the dedicators of said SANDEE PALISADES, and do now declare, make, and establish a vacation of the drainage and utility easements of 10 feet on the northerly lot line of Lot 26, Block 9, SANDEE PALISADES, and

BRAD THOMAS and WADE JOHNSON do hereby declare, make, and establish that the said drainage and utility easements on the said northerly lot line of said Lot 26, Block 9, SANDEE PALISADES shall be relocated and exist over, on, and along the northerly 10 feet of the following described real property:


A tract of land in the East one-half, Section 36, Township 1 North, Range 3, East of the Willamette Meridian, City of Troutdale, County of Multnomah and State of Oregon, described as follows: Beginning at the most Northerly corner of Lot 26, Block 9, SANDEE PALISADES; thence South $70^{\circ}19'19''$ West along the Northerly line of said Lot 26, Block 9, a distance of 120.19 feet to the most Westerly corner of said Lot 26, Block 9; thence North $9^{\circ}32'30''$ West, 15.00 feet; thence North $77^{\circ}28'54''$ East, 118.47 feet to the point of beginning, TOGETHER WITH Lot 26, Block 9, SANDEE PALISADES, in the City of Troutdale, County of Multnomah and State of Oregon.

And BRAD THOMAS and WADE JOHNSON declare that no interest in said parcels have heretofore been sold or transferred to any other party, and that no portions of the drainage and utility easements called for on the record plat for Lot 26, Block 9, SANDEE PALISADES are presently being used for drainage and/or utility purposes.

Dated this 7 day of May, 1985.



Brad Thomas



Wade Johnson

STATE OF OREGON

ss.

County of Multnomah

On this 7 day of May, 1985, personally appeared the foregoing Brad Thomas and Wade Johnson and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:

Kenneth A. Furnell
Notary Public for Oregon

My commission expires: 01-02-88

APPROVED:



STATUTORY WARRANTY DEED

BENJFRAN DEVELOPMENT, INC. an Oregon corporation

conveys and warrants to BRAD THOMAS and WADE JOHNSON Grantor, Grantee.

the following described real property free of liens and encumbrances, except as specifically set forth herein:

A tract of land in the East 1/2, Section 36, Township 1 North, Range 3 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon; said tract being described as follows:

Beginning at the most northerly corner of Lot 26, Block 9, SANDEE PALISADES; thence South 70° 19' 19" West along the northerly line of said Lot 26, Block 9, a distance of 120.19 feet to the most westerly corner of said Lot 26, Block 9; thence North 9° 32' 30" West, 15.00 feet; thence North 77° 28' 54" East; 118.47 feet to the point of beginning. Containing 887 square feet, more or less.

"THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES."

This property is free of liens and encumbrances, EXCEPT: conditions, restrictions, easements of record.

The true consideration for this conveyance is \$ 300.00**

DATED this 6th day of May 1985

BENJFRAN DEVELOPMENT, INC. an Oregon corporation

By: [Signature] VP

STATE OF OREGON, County of _____ Jss.

CORPORATE ACKNOWLEDGMENT STATE OF OREGON, County of Washington Jss.

The foregoing instrument was acknowledged before me this _____ day of _____ 19 _____ by _____

The foregoing instrument was acknowledged before me this 6 day of May 1985 by Michael A Nelson and _____

of BENJFRAN DEVELOPMENT, INC. a corporation, on behalf of the corporation.

Notary Public for Oregon My commission expires:

Notary Public for Oregon My commission expires: 4-19-88

SEAL

SEAL

THIS SPACE RESERVED FOR RECORDER'S USE

Title Order No. 574780 Escrow No. 85-3-44

After recording return to: First American Title 857 E. Powell Blvd. Gresham, OR 97030 KP NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

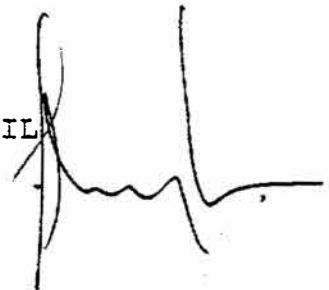
NAME, ADDRESS, ZIP

CASE FILE

1639 SE EVANS

8 MAY 1985

TO: MAYOR SAM COX AND MEMBERS OF THE CITY COUNCIL
FROM: GREG WILDER, DIRECTOR OF COMMUNITY SERVICES
RE: VACATION AND ACCEPTING DRAINAGE EASEMENT



Attached you will find a resolution vacating a utility easement on Lot 26, Block 9, Sandee Palisades and accepting an easement for the same purposes.

Due to required construction modifications, the builder was required to relocate this easement and the drainage lines located on the lot.

sb:10.8

2.5
591-R

SP III

CITY OF TROUTDALE

9 MAY 1985



Brad Thomas
15840 SE Ten Eyck Road
Sandy, OR 97055

RE: VACATION/ACCEPTANCE OF UTILITY/ DRAINAGE EASEMENT
LOT 26, BLOCK 9, SANDEE PALISADES SUBDIVISION

Dear Mr. Thomas:

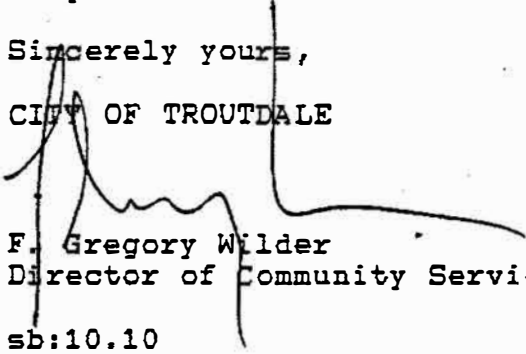
The City is in receipt of the legal description vacating a utility/drainage easement on the above referenced lot and the legal description accepting the new utility/drainage easement for the same purposes.

This vacation and subsequent acceptance have been placed on the City Council Consent Agenda for May 14, 1985. At that meeting, it is anticipated that the Council will accept, by resolution, the relocation of the drainage easement.

If you have any questions or need further clarification regarding the procedures, please do not hesitate to call me at your earliest convenience.

Sincerely yours,

CITY OF TROUTDALE


F. Gregory Wilder
Director of Community Services

sb:10.10