

RESOLUTION NO. 696-R

A RESOLUTION ACCEPTING A DEED FOR CERTAIN REAL PROPERTY KNOWN AS THE FRONTAGE ROAD SEWAGE PUMP STATION SITE FROM FLYING J INC.

WHEREAS, such property is needed for the on-going operation, maintenance and expansion of sewerage pumping facilities on Frontage Road, and

WHEREAS, Flying J Inc. has agreed to deed a parcel of land for this new expanded facility, and

WHEREAS, ownership of property surrounding a public sewer pump station is necessary to protect the public health, safety and general welfare, and

WHEREAS, there has been opportunity for citizen review and comment and the acceptance of this deed is in the public interest,

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

The City does hereby accept the deed for the following described tract:

A 30 foot by 30 foot parcel of land in the Northwest corner of the Charles Carl Leathers Tract as recorded in Book 1993, page 1063 (Exhibit A), Multnomah County Deed Records, in the Northeast 1/4 of Section 26, Township 1 North, Range 3 East, Willamette Meridian, Multnomah County, Oregon; more particularly described as follows:

Commencing at the Northeast corner of said Section 26; thence along the East side of said Section South 00 degrees 23' 50" West 1347.48 more or less to a point; said point being on the Southerly right-of-way line of the eastbound off ramp of Interstate Highway 84 North (relocated Columbia River Highway of the State of Oregon); which is also the Northerly line of a parcel of land conveyed by Marion F. Butler and Alice M. Butler, Charles R. Knarr, Miriam McGinnis, William W. Spence and Florice Spence to the Union Pacific Railroad Company by Warranty Deed, dated March 31, 1966, L.P.D.A. L-385; thence North 86 degrees 26' 53" West along said Southerly right-of-way line of the eastbound off ramp of Interstate Highway 84 North 293.15 feet to the Northwest corner of said Charles Carl Leathers Tract and the TRUE POINT OF BEGINNING; thence South 00 degrees 23' 00" West along the West line of said Charles Carl Leathers Tract a distance of 30.00 feet; thence South 86 degrees 26' 53" East a distance of 30.00

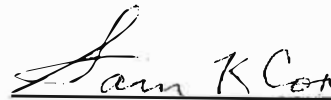
feet; thence North 00 degrees 23' 00" East a distance of 30.00 feet; to the North line of Charles Carl Leathers Tract; thence North 86 degrees 26' 53" West along the North line of said Charles Carl Leathers Tract a distance of 30.00 feet to the POINT OF BEGINNING.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS
10th DAY OF MAY, 1988.

YEAS 5

NAYS 0

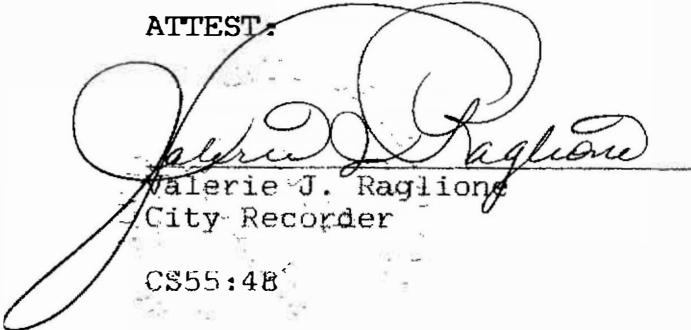
ABSTAINED 0



Sam K. Cox, Mayor

Date Signed: 5/11/88

ATTEST:


Valerie J. Raglione
City Recorder

CS55:48

OA

SPECIAL WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That Flying J., Inc.

hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto City of Troutdale, a municipal corporation

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Multnomah, State of Oregon, described as follows, to-wit: See attached description marked Exhibit "A" and incorporated by this reference.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

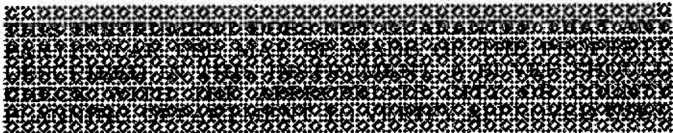
And the grantor hereby covenants to and with the said grantee and grantee's heirs, successors and assigns that said real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ None

However, the actual consideration consists of ~~an interest in real property~~ value ~~of \$100,000~~ promised which is the whole consideration ~~of the property~~ grantee promises to construct an underground sewage lift pump on the property and to landscape the same consistent with Grantor's landscaping

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 20th day of April, 1988; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.



Handwritten signatures and names: O. Jay Call, President; Barre G. Burgon, Secretary

STATE OF OREGON,)
County of) ss.
, 19.

STATE OF OREGON, County of Box Elder) ss.
April 20, 1988

Personally appeared the above named

Personally appeared O. Jay Call and Barre G. Burgon who, being duly sworn, each for himself and not one for the other, did say that the former is the President president and that the latter is the Secretary secretary of

and acknowledged the foregoing instrument to be voluntary act and deed.

FLYING J INC. a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: (OFFICIAL SEAL) Notary Public for Oregon My commission expires

Before me: (OFFICIAL SEAL) Notary Public for Oregon My commission expires: 2-15-89 (If executed by a corporation, affix corporate seal)

FLYING J, INC.
FLYING J INC.
Post Office Box 678, Brigham City, UT 84302
GRANTOR'S NAME AND ADDRESS

After recording return to:
CITY OF TROUTDALE
104 SE KIBLING STREET
TROUTDALE OR 97060
NAME, ADDRESS, ZIP

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

NAME, ADDRESS, ZIP

STATE OF OREGON,)
County of) ss.

I certify that the within instrument was received for record on the day of 19, at o'clock M., and recorded in book/reel/volume No. on page or as fee/file/instrument/microfilm/reception No. Record of Deeds of said county.

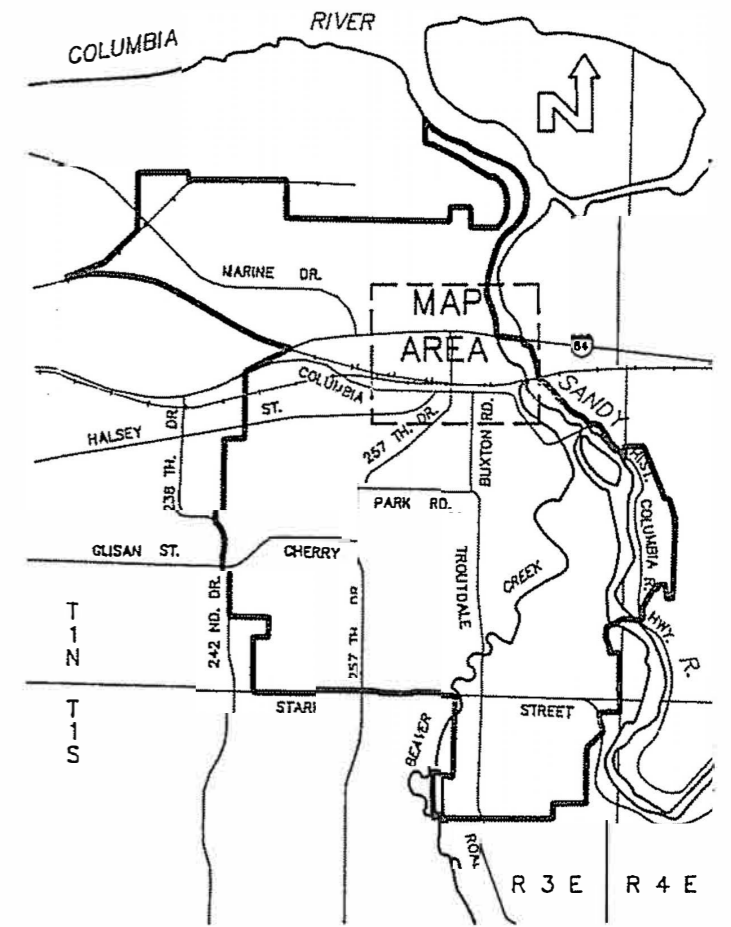
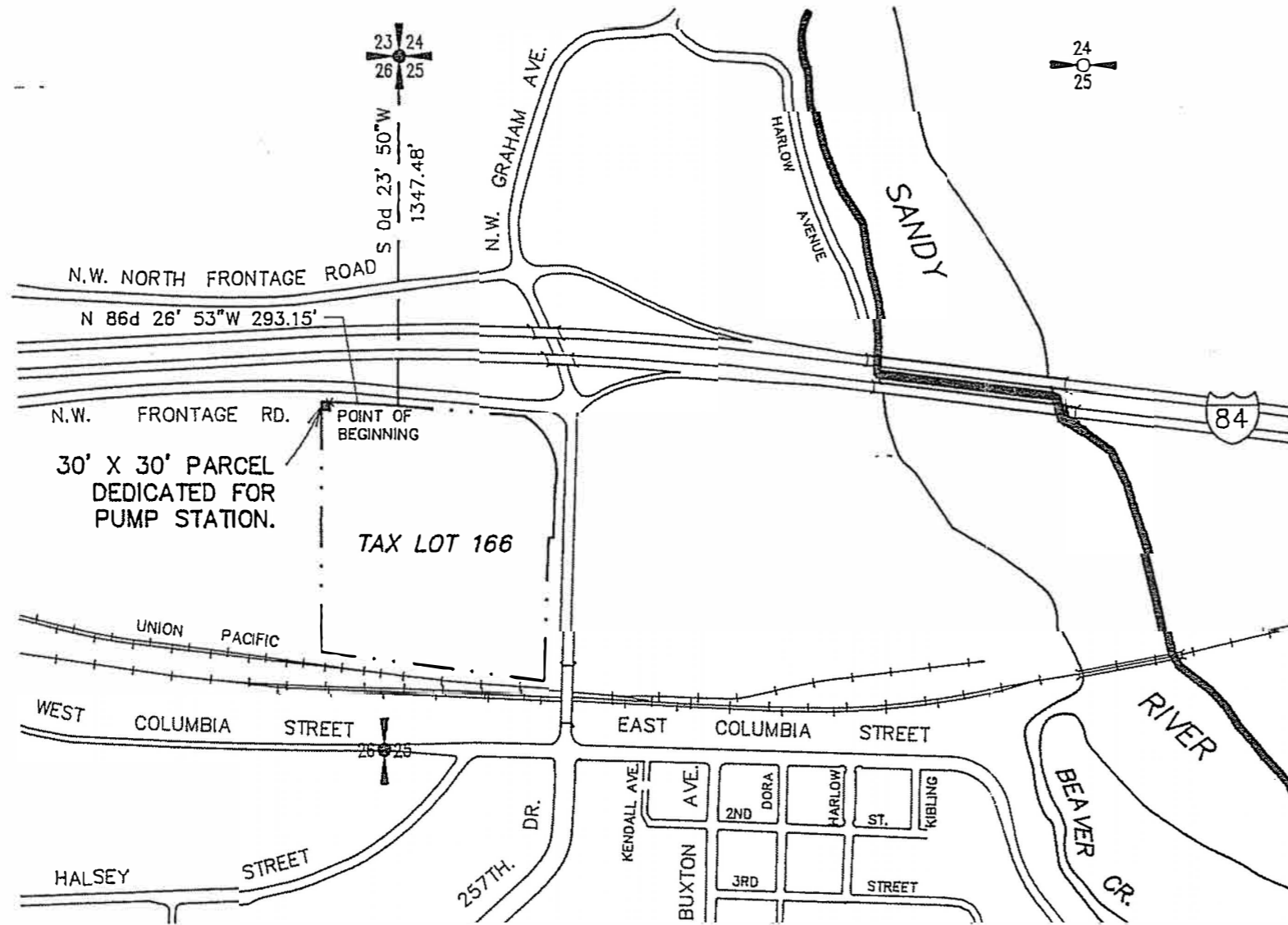
Witness my hand and seal of County affixed.

NAME TITLE
By Deputy

of retained property.

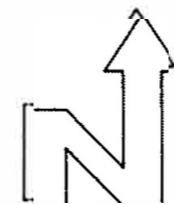
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Commencing at the Northeast corner of said Section 26; thence along the East side of said Section South 00 degrees 23' 50" West 1347.48 more or less to a point; said point being on the Southerly right-of-way line of the eastbound off ramp of Interstate Highway 80 North (relocated Columbia River Highway of the State of Oregon); which is also the Northerly line of a parcel of land conveyed by Marion F. Butler and Alice M. Butler, Charles R. Knarr, Miriam McGinnis, William W. Spence and Florice Spence to the Union Pacific Railroad Company by Warranty Deed, dated March 31, 1966, L.P. D.A. L-385; thence North 86 degrees 26' 53" West along said Southerly right-of-way line of the Eastbound off ramp of Interstate Highway 80 North 293.15 feet to the Northwest corner of said Charles Carl Leathers Tract and the TRUE POINT OF BEGINNING; thence South 00 degrees 23' 00" West along the West line of said Charles Carl Leathers Tract a distance of 30.00 feet; thence South 86 degrees 26' 53" East a distance of 30.00 feet; thence North 00 degrees 23' 00" East a distance of 30.00 feet to the North line of Charles Carl Leathers Tract; thence North 86 degrees 26' 53" West along the North line of said Charles Carl Leathers Tract a distance of 30.00 feet to the POINT OF BEGINNING.

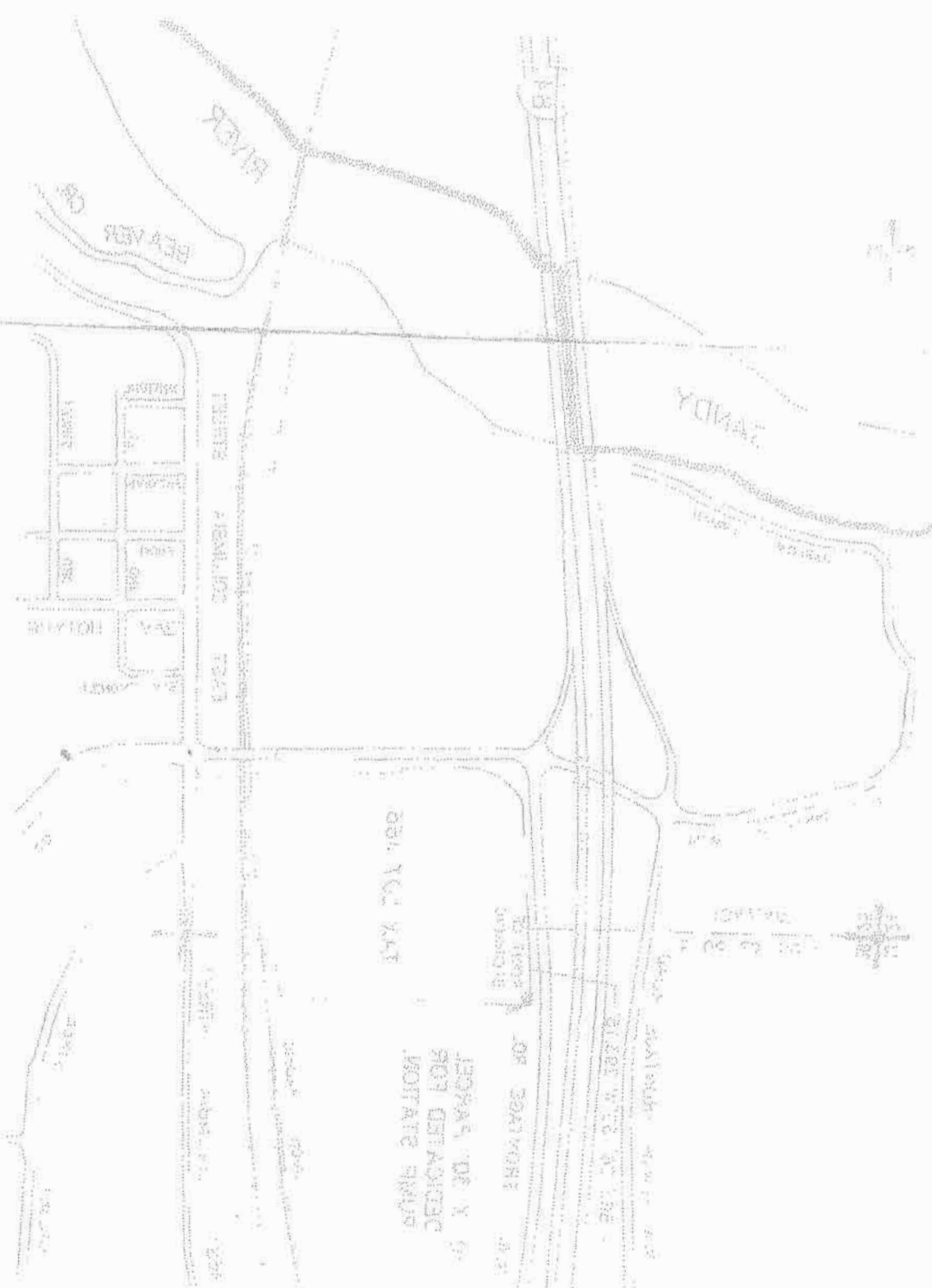


VICINITY MAP

DATE	12-21-87	<p align="center">EXHIBIT MAP</p> <p align="center">DEDICATION OF PROPERTY FOR PUMP STATION</p> <p align="center">CITY OF TROUTDALE</p> <p align="center">MULTNOMAH COUNTY, OREGON</p>
SCALE	1"=600'	
DRAWN	D.D.	
APPRV.	F.G.W.	
NOTES		
REV		
FILE	EXMPSTA	T 1 N R 3 E Sec 26 Sheet 1/1



CITY OF MULTNOMAH
 DEDICATED FOR
 TRAFFIC
 EXHIBIT 1988



031339

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

1988 APR 29 AM 9:03

RECORDING SECTION
 MULTNOMAH CO. OREGON

In Book On Page
 BOOK 2099 PAGE 388

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

N. Walker
 Deputy

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