

RESOLUTION NO. 775

A RESOLUTION ACCEPTING A UTILITY EASEMENT ACROSS PROPERTY IN SECTION 22, T1N, R3E, W.M., MULTNOMAH COUNTY, STATE OF OREGON, OWNED BY SPENCER NORTHWEST PARTNERSHIP.

WHEREAS, such easement is needed for the purpose of constructing the gravity sewer portion of the Marine Drive/Sundial Road Local Improvement District project No. 89-002-A and 89-002-B, including the right of ingress and egress, when necessary, across the real property located in Multnomah County, State of Oregon.

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

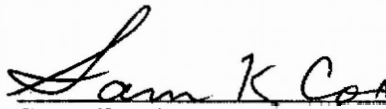
The City does hereby accept the utility easement attached hereto as Exhibit "A" and made part of this document.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 22nd DAY OF AUGUST, 1989.

YEAS: 5

NAYS: 0

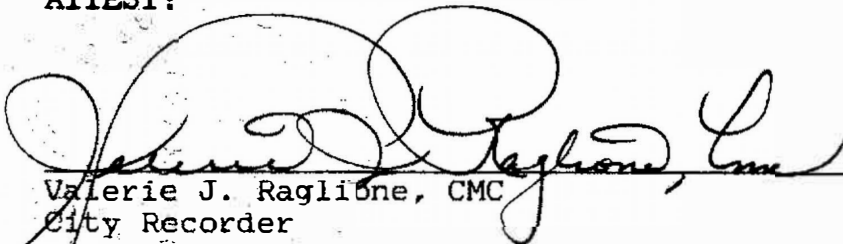
ABSTAINED: 0



Sam K. Cox, Mayor

Date Signed: AUGUST 23, 1989

ATTEST:


Valerie J. Raglione, CMC
City Recorder

MISC:12

UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENT, That Spencer Northwest Partnership a general partnership duly organized and registered under the laws of the State of Oregon, does hereby grant unto said City of Troutdale, the right to lay down, construct, operate, and perpetually maintain a sewer and water main through, under and along the following described parcel:

SEE ATTACHED LEGAL DESCRIPTION

IT IS UNDERSTOOD and agreed that no building shall be erected, nor fill placed upon the above-described permanent easement area(s) without the prior written consent of the City of Troutdale.

THIS INSTRUMENT does not grant or convey to the City of Troutdale any right or title to the surface of the soil along the route of said sewer or water main except for the purpose of laying down, inspecting, restoring, and replacing the same.

IN WITNESS WHEREOF Spencer Northwest Partnership pursuant to the lawful authority given to the undersigned by its' Board of Directors has caused these present to be signed by its' General Partner, this 29 day of August A.D., 1989.

SPENCER NORTHWEST PARTNERSHIP

By: 

John R. Spencer, General Partner

Utility Easement Dedication
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STATE OF OREGON

County of Multnomah

)
) ss.
)

On this 29 day of August A.D., 1989

before me appeared _____ and

John R. Spencer, ~~was~~ to me personally known, who being duly sworn, did say that the said John R. Spencer is the General Partner of the within said Partnership by his authority acknowledges this instrument to be the free act and deed of said Partnership.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

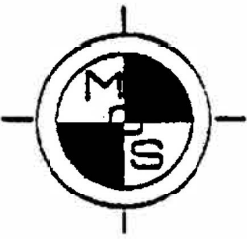
Carol M. Doby
Notary Public for Oregon

My Commission expires 11-27-92

Approved as to form:

[Signature]
City Attorney

[Signature]
Director of Community Services



MINISTER-GLAESER
SURVEYING INC.

(206) 694-3313
2208 E. EVERGREEN
VANCOUVER, WA 98661

August 22, 1989

LEGAL DESCRIPTION
OF
UTILITY EASEMENT
FOR
SPENCER NORTHWEST PARTNERSHIP

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A 30.00 foot wide utility easement, the centerline of which is described as follows:

Beginning at a stone with an "X" at the Northwest corner of the East half of the Charles Fezett Donation Land Claim in Section 22, Township 1 North, Range 3 East, of the Willamette Meridian, in the County of Multnomah and State of Oregon;

Thence South 01' 15' 43" West along the division line of said Fezett Donation Land Claim, 1045.63 feet to a point on the Northerly right-of-way line of Marine Drive as conveyed to Multnomah County, State of Oregon, by deed recorded under Auditor's File No. L-168, dated May 26, 1964;

Thence along said Northerly right-of-way line South 44' 10' 31" East 292.09 feet to a point, said point being 15.00 foot distant, Northwesterly measured, at right angles, from the Northwesterly right-of-way line of the Spur Track of the Oregon-Washington Railroad and Navigation Company, as now constructed and operated, serving the aluminum plant of Reynolds Metals Company, and the True Point of Beginning;

Thence North 46' 01' 45" East parallel to said railroad tracks, 307.41 feet;

Thence North 01' 18' 43" East 517.25 feet to a point herein referred to as point "A";

Also a 40.00 foot utility easement the centerline of which is described as follows;

Beginning at the aforementioned point "A";



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**LEGAL DESCRIPTION
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Thence South 88° 20' 36" East 510.00 feet to the terminus of this centerline description;

Also a 40.00 foot utility easement the centerline of which is described as follows;

Beginning at the aforementioned point "A";

- Thence North 88° 20' 36" West 425.05 feet to the terminus of this centerline description.

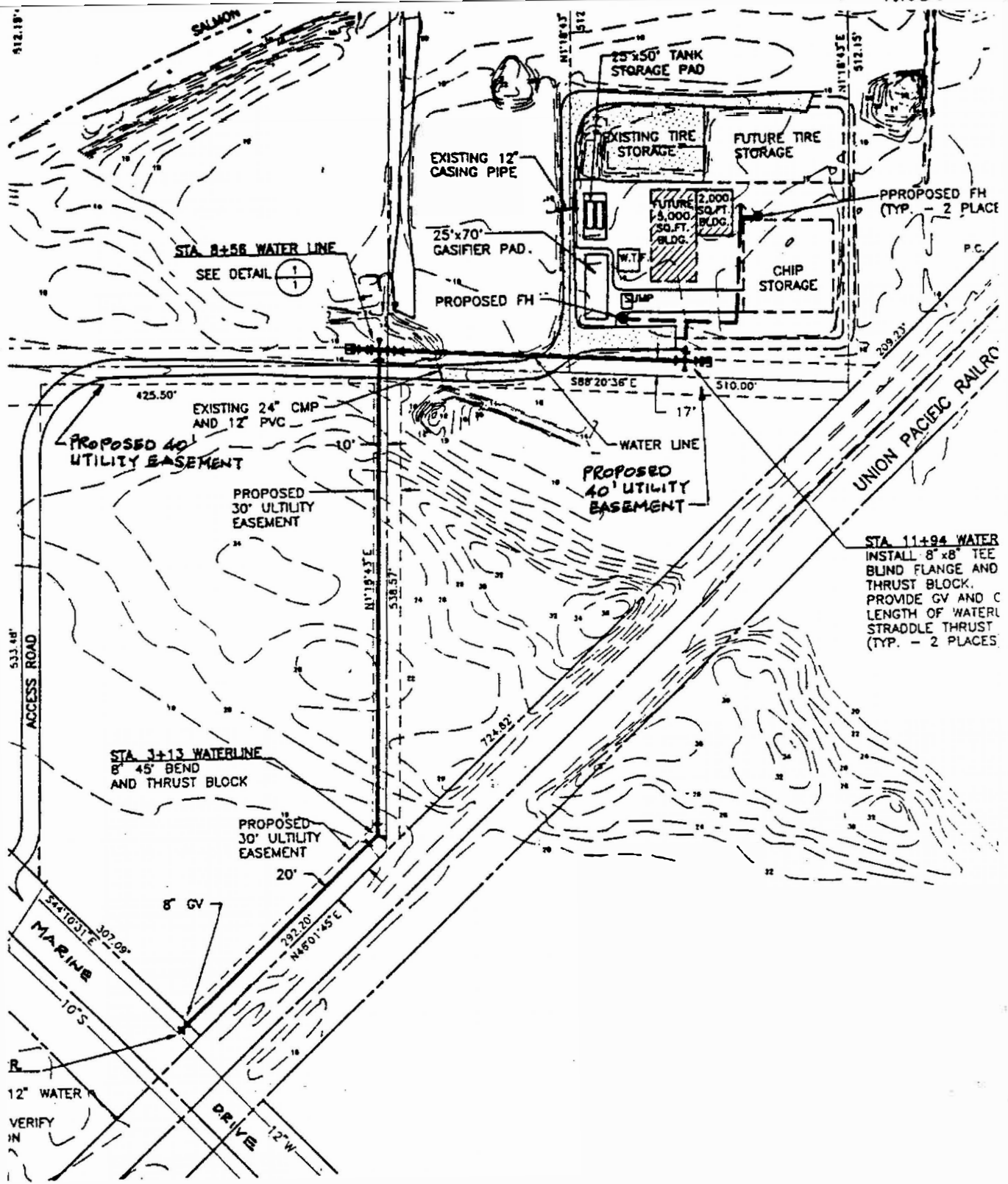


EXHIBIT A

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UTILITY EASEMENT RMAC TIRE RECYCLING FACILITY SPENCER NORTHWEST PARTNERSHIP PROPERTY