

RESOLUTION NO. 899-R

A RESOLUTION ACCEPTING PROPERTY LOCATED IN MOUNTAIN VISTA ADDITION FOR PUBLIC ACCESS, UTILITY PURPOSES & PUBLIC PARK DEDICATION.

WHEREAS, MBG Enterprises, Inc., Grantor, has conveyed three tracts of land to the City of Troutdale, Oregon, a municipal corporation, Grantee; and

WHEREAS, A requirements of approval of the plat of Mountain Vista Addition was the dedication of three parcels of land, known as Tracts A, B & C for purposes of public access, utility access and dedication of park land; and

WHEREAS, Tracts A, B & C are shown on the duly filed plat of Mountain Vista filed March 15, 1991 in Plat Book 1222, Page 40, in Multnomah County, Oregon; and

WHEREAS, Acquisition of this property is in the public interest.

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

1. The City of Troutdale accepts property described on the attached deed [Exhibit "A"].
2. There is no monetary consideration to be received by Grantor for this deed [Exhibit "A"].

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 28TH DAY OF MAY, 1991.

YEAS: 3
NAYS: 0
ABSTAINED: 0



Sam K. Cox, Mayor

Dated: MAY 29, 1991

ATTEST:

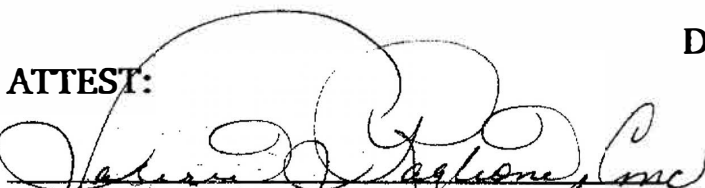

Valerie J. Raglione, CMC
City Recorder
D:\MAYC091\MTVISTA

EXHIBIT "A"

BY EXECUTION HEREOF, THE CITY OF TROUTDALE APPROVES AND ACCEPTS THIS DEED.

THE CITY OF TROUTDALE
a municipal corporation

by:

A large, stylized handwritten signature in cursive script, appearing to read "James D. Hylton, Inc.", written over a horizontal line.

SPECIAL WARRANTY DEED

MGB ENTERPRISES INC.

KNOW ALL MEN BY THESE PRESENTS, That an Oregon corporation MGB ENTERPRISES INC., hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto THE 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:

TRACTS A,B,C, according to the duly filed plat of MOUNTAIN VISTA filed March 15,1991 in Plat Book 1222,Page 40, in the City of Troutdale, Multnomah County Oregon.

- *** 1) Any adverse claim based upon the assertion that some portion of the subject property has been removed from or brought within the property's boundaries by an avulsive movement of Beaverton Creek or has been formed by the process of accretion or reliction. 2) Rights of fishing, navigation, commerce, flood control,, propagation of anadromous fish, and recreation and other rights of the public, Indian tribes or governmental bodies in and to the waters of Beaver Creek.

Tracts A,B, and C are hereby conveyed to the City of Troutdale for public access and utility purposes.

SEE EXHIBIT "A"

(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. excepting see above ***

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

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols (H), if not applicable, should be deleted. See ORS 93.030.)

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 on APRIL 8, 19 91; if a corporate grantor, it has caused its name to be signed and its seal affixed by an officer or other person duly authorized to do so by its board of directors. MGB ENTERPRISES INC.

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.

by: Ross Murry, President [Signature]

[If executed by a corporation, affix corporate seal and use the form of acknowledgment opposite.]

STATE OF OREGON, County of [blank] ss.

This instrument was acknowledged before me on [blank], 19 [blank], by [blank]

(SEAL) Notary Public for Oregon My commission expires: [blank]

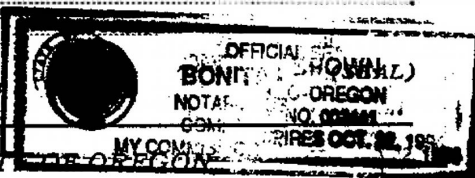
STATE OF OREGON, County of Clatsop ss.

This instrument was acknowledged before me on April 8, 1991, by Ross Murry

as President of MGB Enterprises Inc. an Oregon corporation

Bonita D. Brown Notary Public for Oregon

My commission expires: 10/30/91



MGB Enterprises Inc.

GRANTOR'S NAME AND ADDRESS CITY OF TROUTDALE CITY RECORDER'S OFFICE 104 SE KIBLING AVENUE TROUTDALE, OR 97130-2095

After recording return to: The City of Troutdale 140 SE Kibling Troutdale, Oregon 97060

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

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of [blank] ss.

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

Witness my hand and seal of County affixed.

By [blank] Deputy