

RESOLUTION NO. 924-R

A RESOLUTION ABANDONING A DRAINAGE EASEMENT AGREEMENT BETWEEN FRANZ B. AND DOROTHY DRINKER, J. RUSSELL SHERMAN, VIRGINIA SHERMAN AND TEXAS INDEPENDENT OIL COMPANY (GRANTORS) AND THE CITY OF TROUTDALE [MT. VISTA SUBDIVISION] (GRANTEE), AND BURLINGAME DEVELOPMENT CORPORATION (DEVELOPER)(MOUNTAIN VISTA SUBDIVISION).

WHEREAS, on March 14, 1978, a drainage easement agreement was filed in Multnomah County, between Franz B. Drinker and Dorothy S. Drinker, J. Russell Sherman, Virginia M. Sherman and Texas Independent Oil Company, Inc., grantors, and the City of Troutdale (grantee) and Burlingame Development Corporation (developer).

WHEREAS, this drainage easement agreement was filed to accommodate the conveyance of surface waters from the Fleur De Lis Subdivision, across grantor's property to Beaver Creek.

WHEREAS, the subject property has been subdivided and developed. Development of this property known as the Mountain Vista subdivision, has incorporated a storm water disposal system which accommodates the drainage from the Fleur De Lis subdivision.

WHEREAS, Burlingame Development owns a vacant parcel of land between the Fleur De Lis and the Mountain Vista subdivision. This developer maintains a system to detain storm water flow on this property.

WHEREAS, development of this vacant property will require the construction of an adequate storm drainage system connecting the storm sewer systems in the Fleur De Lis and Mountain Vista subdivision.

WHEREAS, the conditions of this agreement have been met for the purposes of conveying storm water flow in accordance with City codes and ordinances.

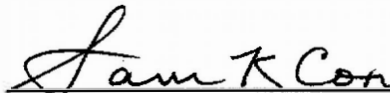
WHEREAS, the abandonment of this easement/agreement does not waive any requirement of any developer to accommodate the flow of storm water from an adjacent parcel, nor his/her requirement to construct an adequate system to collect and disperse storm water from his/her development.

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

The Drainage Easement Agreement filed between Franz B. Drinker and Dorothy S. Drinker, J. Russell Sherman, Virginia M. Sherman and Texas Independent Oil Company, Inc., (grantors), and the City of Troutdale (grantee) and Burlingame Development Corporation (Developer) is hereby abandoned.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS TENTH DAY OF SEPTEMBER, 1991.

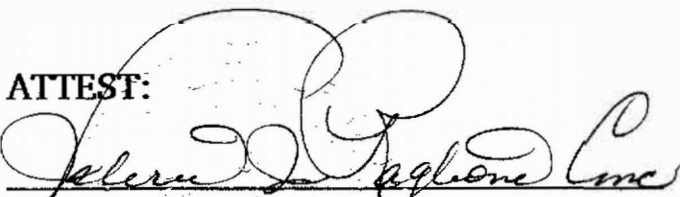
YEAS: 5
NAYS: 0
ABSTAINED: 0



Sam K. Cox, Mayor

Dated: 9/11/91

ATTEST:



Valerie J. Raglione, CMC
City Recorder

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