

RESOLUTION NO. 968-R

A RESOLUTION ACCEPTING A PUBLIC UTILITY AND ACCESS EASEMENT FOR SANITARY SEWERLINE NECESSARY TO SERVE SWEETBRIAR MEADOWS PHASE II SUBDIVISION.

WHEREAS, The Old Sweetbriar Farm Homeowners Association (Grantor) conveys to the CITY OF TROUTDALE (Grantee) a permanent right-of-way for the purposes of maintaining, repairing, altering or reconstruction of the sanitary sewer and necessary appurtenances thereto, laid over, upon or beneath the surface of the ground including the right of ingress and egress, when necessary for the purposes mentioned above on, over, under and across the real property located in the County of Multnomah and State of Oregon.

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

The City does hereby accept a non-exclusive sanitary sewer easement (see attached exhibits) described as follows:

A strip of land in the northeast one-quarter of Section 1, T1S, R3E, W.M., City of Troutdale, Multnomah County, Oregon. Said strip being 15.00 feet in width, lying 7.50 feet on each side of the following described centerline:

Commencing at the northwest corner of Lot 15, Block 29 of the Plan of "Old Sweetbriar Farm Replat Block 15 - Blocks 15 through 29"; thence southwesterly along the southerly line of Pelton Avenue, tracing the arc of a curve right (the radius point of which bears N. 44 53'39" W, 525 feet) 10.00 feet (chord bears S. 45 53'39" W, 10.00 feet) to the true point of beginning of the centerline of the aforescribed 15.00 foot strip (said centerline being parallel to and 10.00 feet distance southwesterly from the southwesterly line of said Lot 15) 203.36 feet to a point on the southeasterly line of said Plat of "Old Sweetbriar Farm" and the terminus of the herein described strip.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 23RD DAY OF JUNE, 1992.

YEAS: 4
NAYS: 0
ABSTAINED: 0

Sam K Cox

Sam K. Cox, Mayor

Dated:

6/24/92

ATTEST:

Valerie J. Ragliano, CMC
City Recorder

Handwritten signature of Valerie J. Ragliano

STATE OF OREGON
Multnomah County

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

52 AUG 14 AM 11:07



In Book

BOOK 2576 PAGE 1882

witness my hand and seal of office affixed

Recorder of Conveyances

Handwritten signature of M. W. ...

Deputy

Handwritten number 357

090735

SANITARY SEWER EASEMENT AGREEMENT

The Old Sweetbriar Farm Homeowners Association (Grantor) in consideration for the promises contained herein and other good and valuable consideration conveys to the CITY OF TROUTDALE a municipal corporation of this State of Oregon, its successors and assigns (Grantee) a permanent right-of-way for the purposes of maintaining, repairing, altering or reconstruction of the sanitary sewer and necessary appurtenances thereto, laid over, upon or beneath the surface of the ground including the right of ingress and egress, when necessary for the purposes mentioned above on, over, under and across the real property located in the County of Multnomah and State of Oregon, as described:

A strip of land in the northeast one-quarter of Section 1, T1S, R3E, W.M., City of Troutdale, Multnomah County, Oregon. Said strip being 15.00 feet in width, lying 7.50 feet on each side of the following described centerline:

Commencing at the northwest corner of Lot 15, Block 29 of the Plan of "Old Sweetbriar Farm Replat Block 15 - Blocks 15 through 29"; thence southwesterly along the southerly line of Pelton Avenue, tracing the arc of a curve right (the radius point of which bears N. 44 53'39" W, 525 feet) 10.00 feet (chord bears S. 45 53'39" W, 10.00 feet) to the true point of beginning of the centerline of the aforescribed 15.00 foot strip (said centerline being parallel to and 10.00 feet distance southwesterly from the southwesterly line of said Lot 15) 203.36 feet to a point on the southeasterly line of said Plat of "Old Sweetbriar Farm" and the terminus of the herein described strip.

This easement will be granted contingent upon the following condition:

Upon completion of construction of all necessary underground utilities within the above described easement, all disturbed existing landscaped areas shall be returned to their original condition or better. This will include, but is not limited to, existing trees, shrubs, ground covers and lawn areas.

Upon completion of the installation of underground utilities, the City of Troutdale, in coordination with a Home Owners Association representative, will visually inspect this affected area to ensure proper replacement of all removed or damaged plantings.

OLD SWEETBRIAR FARM HOMEOWNERS ASSOCIATION

By: Thomas K. Lincoln

Title: President

Date: _____

By: _____

By: _____

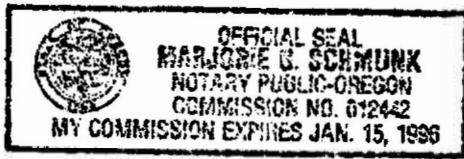
STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

Personally appeared the above named Thomas Lincoln
and acknowledged the foregoing instrument to be his/their voluntary act and deed.

BEFORE ME:

Marjorie G. Schunk
NOTARY PUBLIC FOR OREGON
Commission Expires: 1-15-96

(seal)



CERTIFICATE OF ACCEPTANCE

I, Mark J. Ragione, Recorder of the City of Troutdale, hereby certify that the foregoing agreement was accepted by the Common Council of the City of Troutdale on the 23 day of JUNE, 1992, by Resolution No. _____.

Dated this 24 day of JUNE, 1992.

(seal)

Mark J. Ragione
CITY RECORDER

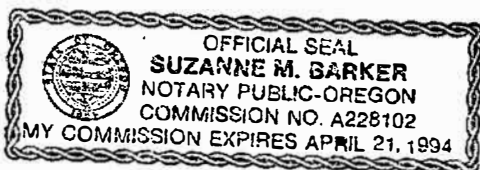
STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

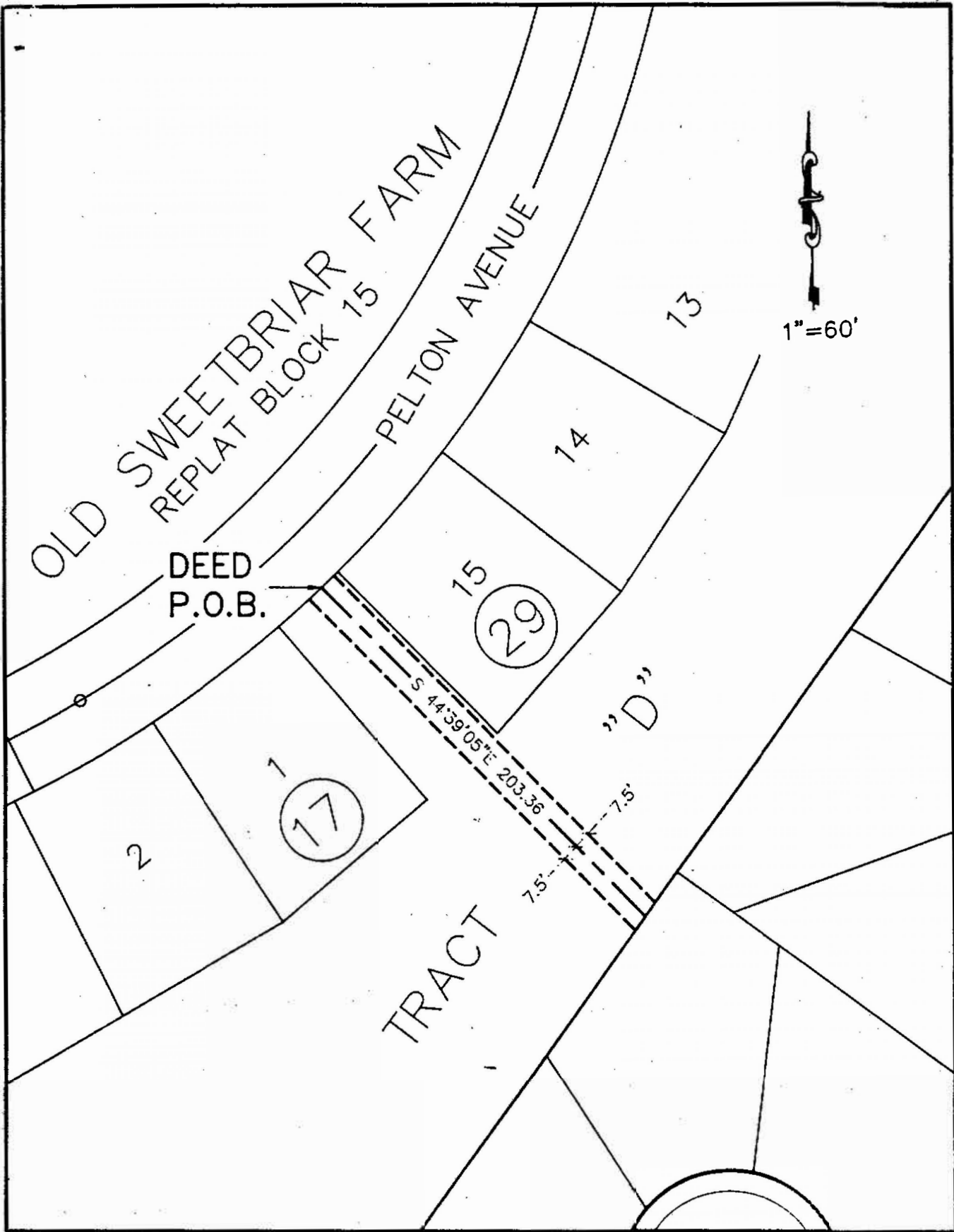
Personally appeared the above named Valerie Ragione, and acknowledged the foregoing instrument to be the voluntary act and deed of the CITY OF TROUT DALE.

BEFORE ME:

Suzanne M. Barker
NOTARY PUBLIC FOR OREGON
Commission Expires: 4-21-94

(seal)





SKETCH TO ACCOMPANY EXHIBIT "A"
 SWEETBRIER MEADOW No. 2
 OFFSITE SANITARY SEWER EASEMENT

otak
 Incorporated
 surveyors
 engineers
 planners

17355 S.W. BOOKER'S FERRY ROAD
 LAKE OSWEGO, OREGON 97035
 (503)635-3618 FAX (503)635-5395