

A RESOLUTION RELINQUISHING ALL RIGHTS TO A UTILITY EASEMENT ACROSS PROPERTY COMMONLY KNOWN AS TRACT "D" OF THE OLD SWEETBRIAR FARM GRANTED TO THE CITY OF TROUTDALE AND RESCINDING RESOLUTION NO. 968.

WHEREAS, an easement was granted to the City of Troutdale by the Old Sweetbriar Farm Home Owners Association and accepted by the City of Troutdale by Resolution No. 968 on June 23, 1992; and

WHEREAS, such easement premises were never occupied by the City of Troutdale due to realignment of the sewer main route; and

WHEREAS, a new easement for the new alignment of the sewer main has been obtained by the developer for the City.

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

Section 1. The City of Troutdale hereby relinquishes all rights to the easement situated in the City of Troutdale, County of Multnomah and State of Oregon, described as follows:


A strip of land in the northeast one-quarter of Section 1, T.1S., R.3E., 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.


Section 2. Resolution No. 968 is hereby rescinded.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 27TH DAY OF SEPTEMBER, 1994.

YEAS: 5
NAYS: 0
ABSTAINED: 0


Paul Thatcher, Mayor
Dated: 9-29-94

ATTEST:


George Martinez
City Recorder

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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:

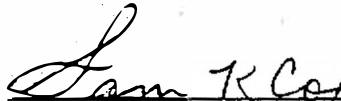
The City does hereby accept a non-exclusive sanitary sewer easement (see attached exhibits) described as follows:

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.**

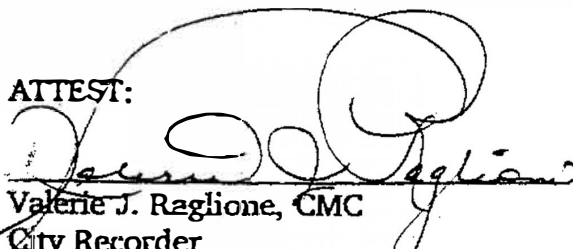
YEAS: 4
NAYS: 0
ABSTAINED: 0



Mayor

Dated: 6/24/92

ATTEST:



Valerie J. Raglione, CMC
City Recorder

Date: _____

By: _____

By: _____

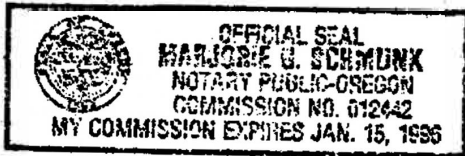
STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

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

BEFORE ME:

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

(seal)



CERTIFICATE OF ACCEPTANCE

I, James J. Ragnone, 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)

James J. Ragnone
CITY RECORDER

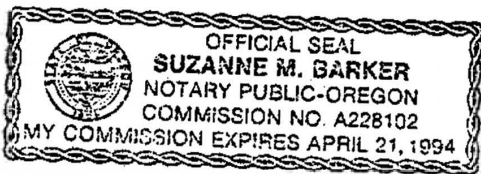
STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

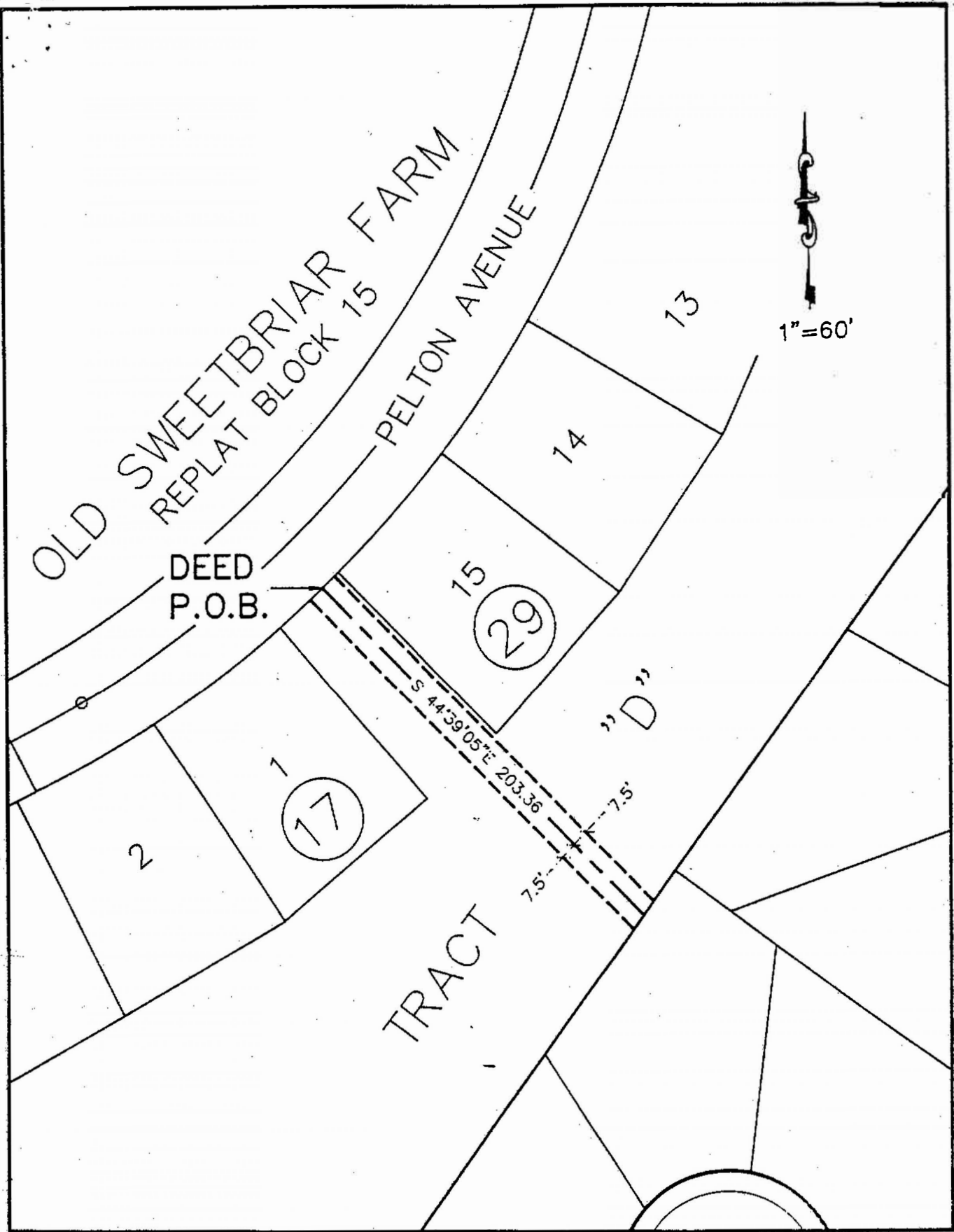
Personally appeared the above named Valerie Ragnone, and acknowledged
the foregoing instrument to be the voluntary act and deed of the CITY OF TROUTDALE.

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. BOONES FERRY ROAD
LAKE OSWEGO, OREGON 97035
(503)635-3618 FAX (503)635-5395

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

95 JUL 5 AM 10:26
RECORDING SECTION
MULTNOMAH CO. OREGON

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

C Swick
Deputy

WJ

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