

**RESOLUTION NO. 1179**

**A RESOLUTION ACCEPTING A PERMANENT PUBLIC UTILITY AND ACCESS EASEMENT FROM VALUE CONSTRUCTION, INC. FOR A PORTION OF COLUMBIA VISTA PHASE II.**

**WHEREAS**, it was found that this permanent public utility and access easement was necessary to meet the demands of public health, safety and welfare; and

**WHEREAS**, the property owner of this site (Value Construction, Inc.) agrees to dedicate this easement to the City of Troutdale at no cost to the City; and

**WHEREAS**, City staff has reviewed the attached written description of this easement and found the language to be in compliance with the City's ordinances; and

**WHEREAS**, the physical size of this easement was found to be adequately sized for City staff to properly service the public utility which this permanent public utility and access easement encloses.

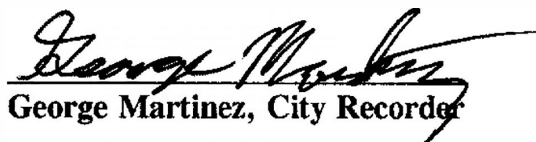
**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE**

The attached Grant of Utility Easement from Value Construction, Inc. for a portion of Columbia Vista Phase II is accepted.

**YEAS:** 5  
**NAYS:** 0  
**ABSTAINED:** 0

  
Paul Thalhofer, Mayor

**Dated:** JUNE 29, 1995

  
George Martinez, City Recorder

**Adopted:** JUNE 27, 1995

**PLEASE RETURN TO:**  
GEORGE MARTINEZ, CITY RECORDER  
CITY OF TROUTDALE  
104 SE KIBLING  
TROUTDALE, OR 97060

C:RESOL95

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# GRANT OF UTILITY EASEMENT

VALUE CONSTRUCTION, INC., a Corporation organized under the laws of the State of Oregon located at PO Box 1012, Clackamas, OR 97015 (hereinafter the "Grantor"), for good and valuable consideration, does grant to the CITY OF TROUTDALE, a municipal corporation of the State of Oregon, its successors and assigns, (hereinafter the "Grantee"), a permanent easement for the purposes of ingress and egress to repair, maintain, alter, reconstruct, inspect and operate a public utility (sanitary sewer) as fully described below and as shown on Exhibit "A", attached hereto and incorporated by reference herein.

## Legal Description:

An easement for utilities in the Southeast quarter of Section 26, Township 1 North, Range 3 East, Willamette Meridian, Multnomah County Oregon, described as follows:

COMMENCING at the Southeast corner of said Section 26, said point of commencement being on the centerline of Cherry Park Road; thence N00°13'53"E, 935.16 feet to the Southeast corner of that tract of land surveyed and recorded in Multnomah County, Oregon under CSP 52622, said survey being the basis of bearing for this description; thence continuing N00°13'53"E, along the East line of said surveyed tract, 108.30 feet to an angle point in said East line; thence N00°25'54"W, 279.61 feet to the Northeast corner of said surveyed tract; thence S89°46'04"W, along the North line thereof, 215.83 feet to the Northwest corner of said surveyed tract, said corner being on the Southerly right-of-way line of NE 257th Drive (being 45.00' from centerline); thence along said right-of-way line, along the arc of a 5774.58 foot radius, non-tangent curve to the right, through a central angle of 03°26'11", an arc length of 346.35 feet (chord bears S49°27'49"W, 346.29 feet) to the TRUE POINT OF BEGINNING of the easement herein described; thence S38°46'07"E, 10.00 feet; thence S51°16'51"W, 20.00 feet; thence N38°46'07"W, 10.00 feet to said Southerly right-of-way line; thence along said Southerly right-of-way line, along the arc of a 5774.58 foot radius, non-tangent curve to the left, through a central angle of 00°11'54", an arc length of 20.00 feet (chord bears N51°16'51"E, 20.00 feet) to the point of beginning.

The Grantee shall fully indemnify, save harmless, and defend the Grantor, its officers, agents and employees, from and against all claims and actions and all expenses incidental to the investigation and defense thereof, based upon or arising out of any and all damages or injuries to the Grantor or persons or their property, caused by Grantee's negligent repair, maintenance, inspection or operation of utilities pursuant to this paragraph.



CERTIFICATE OF ACCEPTANCE

I, George Martinez, Recorder of the City of Troutdale, hereby certify that the foregoing agreement was accepted by the Council of the City of Troutdale on the 27<sup>th</sup> day of June, 1995, by Resolution No. 1179.

Dated this 29<sup>th</sup> day of June, 1995.

George Martinez  
CITY RECORDER

(seal)

STATE OF OREGON )  
 ) ss.  
COUNTY OF MULTNOMAH )

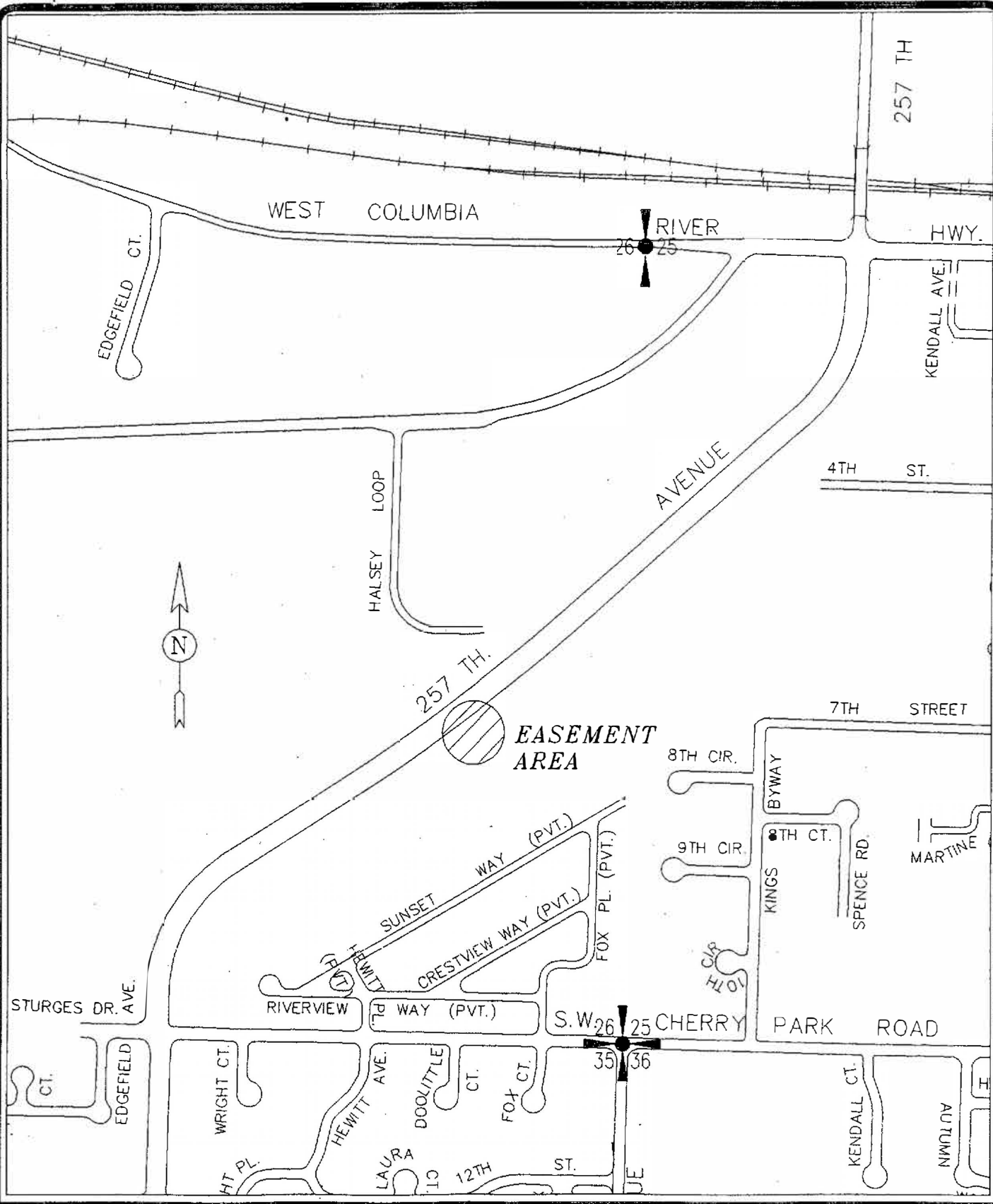
Personally appeared the above named George Martinez, and acknowledged the foregoing instrument to be the voluntary act and deed of the CITY OF TROUTDALE.

BEFORE ME:

Mary L Eaton  
NOTARY PUBLIC FOR OREGON  
Commission Expires: 2/20/99



(seal)



FILE NAME: CLMBIA\_V  
 TITLE BLOCK: TB8X11  
 EXTERNAL REFERENCES: NONE  
 PLOT DATE: 06-19-95  
 BY: J.M.  
 PREVIOUS REVISION DATE: NONE



DEPARTMENT OF PUBLIC WORKS  
 CITY OF TROUTDALE  
**ACCEPT EASEMENT**  
**COLUMBIA VISTA PHASE II**  
 MULTNOMAH COUNTY, OREGON  
 JUNE 1995

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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 OCT 19 AM 11:59

RECORDING SECTION  
MULTNOMAH CO. OREGON

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witness my hand and seal of office affixed.

Recorder of Conveyances

C. Swick

Deputy