

RESOLUTION NO. 1271

**A RESOLUTION GRANTING THE PERMANENT RIGHT TO
INGRESS AND EGRESS THROUGH CITY-OWNED
PROPERTY LOCATED AT 141 SE DORA AVENUE TO THE
PROPERTY LOCATED AT 146 S. BUXTON AVENUE**

WHEREAS, it is necessary to grant the right to ingress and egress the property located at 146 S. Buxton Avenue through the City-owned property located at 141 SE Dora Avenue to provide vehicular access to this property's garage; and

WHEREAS, the right to ingress and egress the aforesaid property shall be binding to the land; and

WHEREAS, the City of Troutdale agrees to grant this right at the request of Mr. Rodgers at no cost to him; and

WHEREAS, the City does so because in doing the improvements to SE 2nd Street it did not appear that access to the existing shed/garage was necessary; and

WHEREAS, when City staff checked the permit files they showed that a permit to demolish this shed/garage had been obtained by Mr. Rodgers; and

WHEREAS, City staff, therefore, did not plan to provide a driveway to this property since this storage/garage was planned to be demolished; and

WHEREAS, late in the project and after the construction phase had commenced, Mr. Rodgers decided to not demolish the shed/garage but to continue to access this shed/garage for vehicle(s); and

WHEREAS, due to the street grades which had been designed and established, there was no other way to provide adequate vehicular access to this property from SE 2nd; and

WHEREAS, the description of this right to ingress/egress area have been reviewed by City staff and Mr. Paul Rodgers: and

WHEREAS, both parties (the City of Troutdale and Mr. Paul Rodgers) thoroughly reviewed, revised and made final the attached description; and

WHEREAS, Mr. Rodgers acknowledged the receipt and acceptance of this right to ingress/egress with his signature on the attached description; and

WHEREAS, the City of Troutdale acknowledges and grants this right to ingress and egress by way of this resolution; and

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

WHEREAS, the actual on-site area and its dimensions, as are more particularly described on the attached description, were found to be adequate and acceptable to both parties and will provide adequate access into this existing shed/garage from the north portion of the property and through the City-owned property at 141 SE Dora Avenue.

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

That a permanent right to ingress and egress into the property located at 146 S. Buxton Avenue, through the City-owned property located at 141 SE Dora Avenue, as described on Attachment A is granted.

YEAS: 6
NAYS: 0
ABSTAINED: 0



Paul Thalhofer, Mayor

Dated: 8-22-96


George Martinez, City Recorder

Adopted: 8-13-96

C:\RESOL96

**A PERMANENT RIGHT TO INGRESS AND EGRESS
THROUGH CITY-OWNED PROPERTY LOCATED AT 141 SE DORA
TO THE PROPERTY AT 146 SE BUXTON AVENUE**

**GRANTOR: CITY OF TROUTDALE
104 SE KIBLING AVENUE
TROUTDALE, OR 97060**

The Grantor, owner of the property at 141 SE Dora Avenue, Troutdale, Or 97060, does hereby grant to Mr. Paul Rodgers, Grantee, a permanent right to ingress and egress, through said City-owned property, to his garage located on the most eastern end of the property at 146 SE Buxton Avenue.

The exact area hereby designated for a permanent right to ingress and egress the property at 146 SE Buxton is more particularly described as follows and is graphically shown on the attached Exhibit Map:

The most southern 12 feet of Parcel 5, Tax lot 9400, Block 1 of the City of Troutdale's downtown area, such block being enclosed by Historic Columbia River Highway on its north; SE Dora Avenue on its east, SE 2nd Street on its south; and S Buxton Avenue on its west.

This area contains 1200 square feet, more or less.

This permanent right to ingress and egress shall run with the land and shall be binding upon and shall inure to the benefit of the parties hereto, their heirs, successors, and assigns.

No structure shall be erected upon this area designated for ingress and egress without the written consent of the grantee.

The consideration for this permanent right for ingress and egress is nonmonetary.

Grantee: Paul R. Rodgers

OK ✓

CERTIFICATE OF ACCEPTANCE

I, George Martinez, 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 13th day of August, 1996, by Resolution No. 1271.

Dated this 19th day of September, 1996.

George Martinez
CITY RECORDER

(seal)

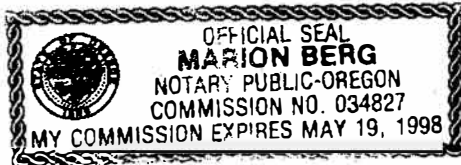
STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

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:

Marion Berg
NOTARY PUBLIC FOR OREGON
Commission Expires: 5-19-98

(seal)



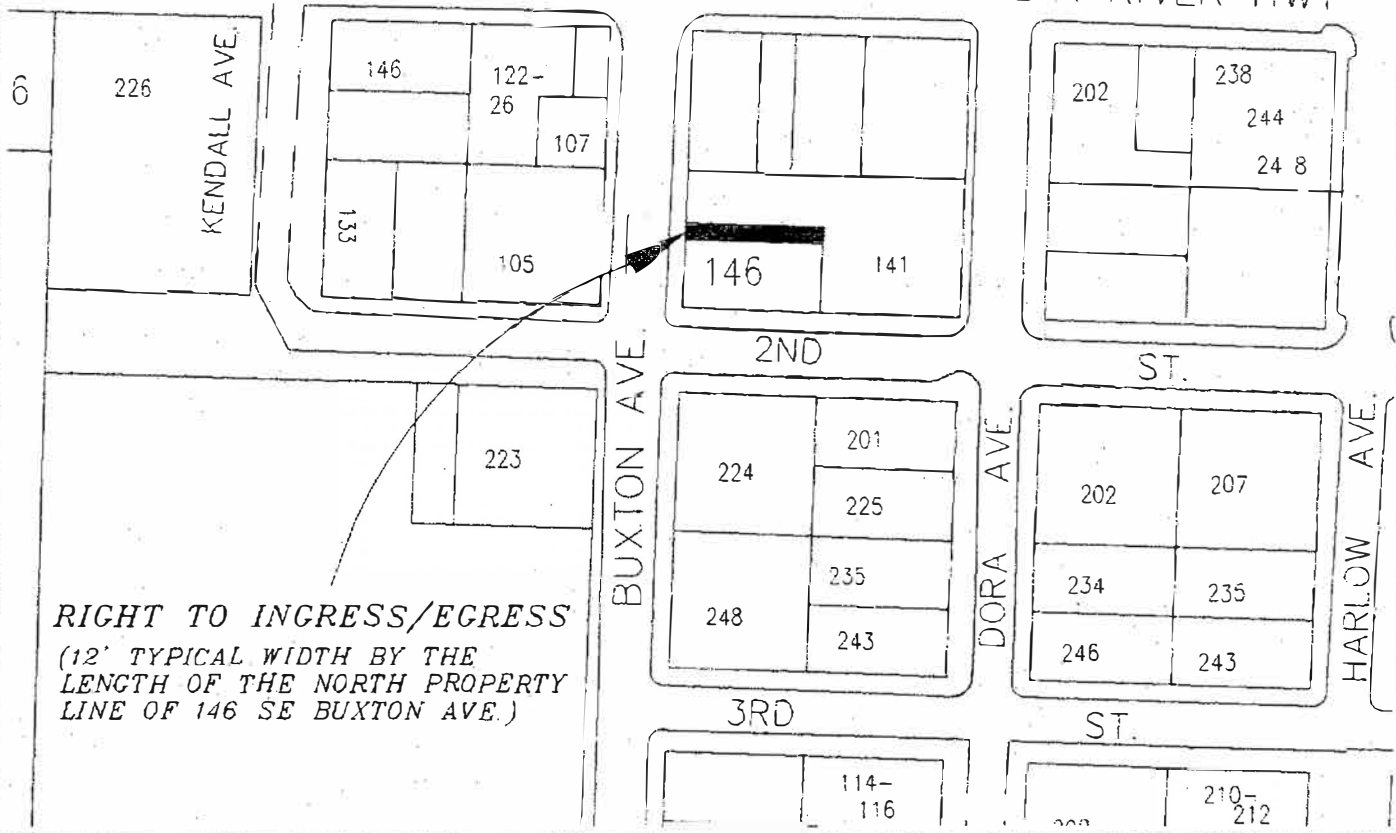
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450



183-201

EAST COLUMBIA RIVER HWY



RIGHT TO INGRESS/EGRESS
 (12' TYPICAL WIDTH BY THE
 LENGTH OF THE NORTH PROPERTY
 LINE OF 146 SE BUXTON AVE.)

FILE NAME: 148_BXTN
 TITLE BLOCK: T88X11
 EXTERNAL REFERENCES: NONE
 PLOT DATE: 08-06-96
 BY: J.M.
 PREVIOUS REVISION DATE: NONE



DEPARTMENT OF PUBLIC WORKS
 CITY OF TROUTDALE
RIGHT TO INGRESS/EGRESS
 (TO SE 146 BUXTON AVE.) AREA
 MULTNOMAH COUNTY, OREGON
 AUGUST 1996

6



MULTNOMAH COUNTY OREGON

DIVISION OF ASSESSMENT AND TAXATION
#21 SW 6TH AVENUE #308
PORTLAND, OREGON 97204
RECORDING SECTION (503) 248-3034

Recorded in the County of Multnomah, Oregon
C. Swick, Deputy Clerk

30.00

96162430 3:46pm 10/25/96

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PLEASE DO NOT REMOVE

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