

RESOLUTION NO. 1295

A RESOLUTION ACCEPTING AN ACCESS AND UTILITIES EASEMENT FOR A PORTION OF LOT 24, STRAWBERRY MEADOWS SUBDIVISION PHASE I, FROM RIVERSIDE HOMES AND DAVID D. DEGRAFF, JR.

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

WHEREAS, Riverside Homes Inc. and David D. Degraff, Jr., owners of the aforementioned property, agree to dedicate this easement to the City at no cost to the City; and

WHEREAS, it is fully understood that this easement will remain in effect until such time as the City no longer needs this easement; and

WHEREAS, City staff's review of this easement showed adequate dimensions and an accurate legal easement description and descriptive graphical map

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

That this public access and utilities easement for a portion of Lot 24, Strawberry Meadows Phase I, described on the attached easement description and graphically shown on the exhibit maps, is hereby accepted by the City.

YEAS: 7
NAYS: 0
ABSTAINED: 0


Paul Thalhoffer, Mayor

Dated: 1/31/97


George Martinez, City Recorder

Adopted: 1-28-97

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

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

 53.00

97023743 1:35pm 02/18/97

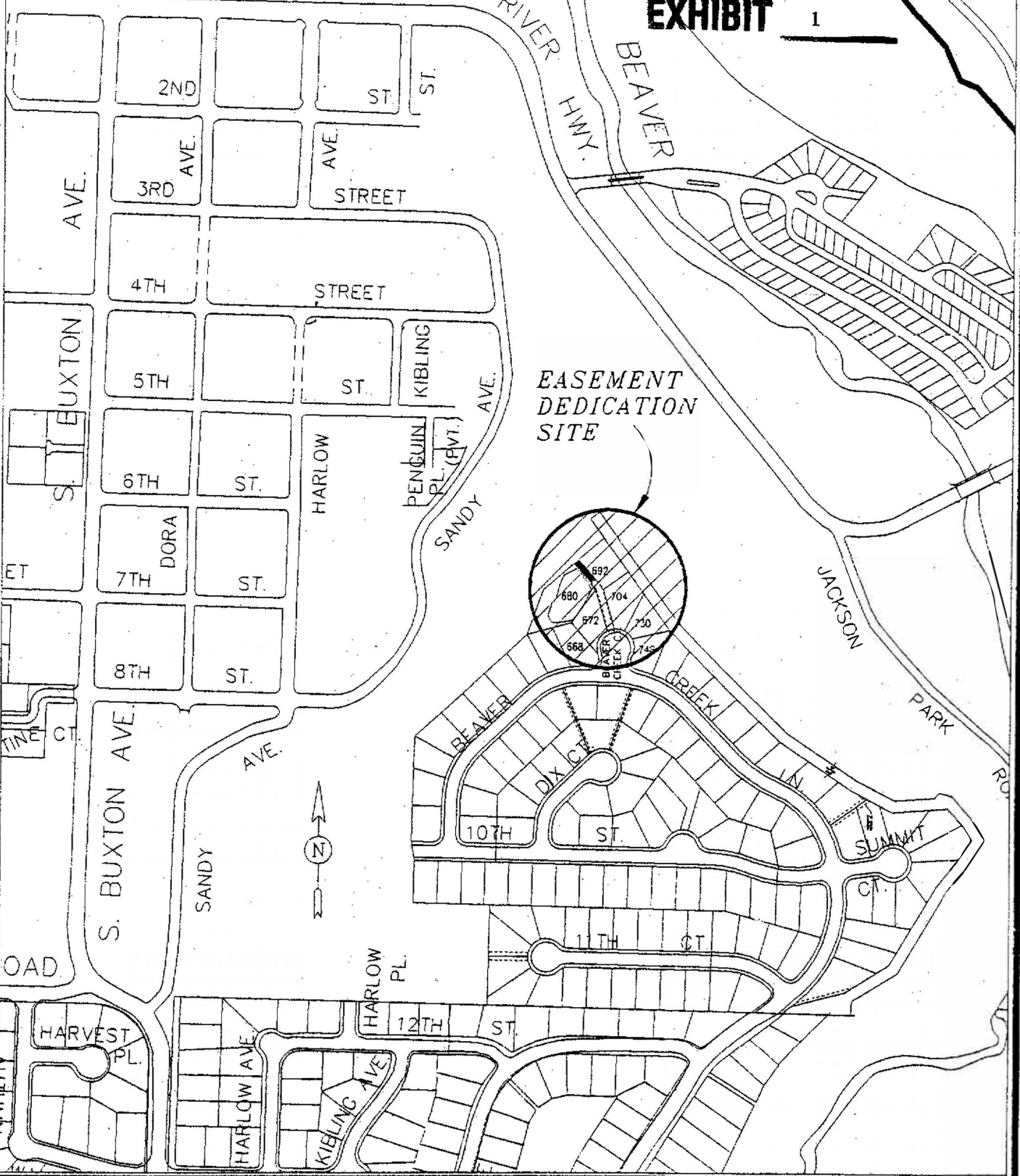
009 50004355 05 07
F98 5 5.00 25.00 3.00 20.00 0.00

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WY. EAST COLUMBIA

EXHIBIT

1



*EASEMENT
DEDICATION
SITE*

FILE NAME: *Strawberry Meadows Ease Dedication*
 TITLE BLOCK: *7B8X11*
 EXTERNAL REFERENCES: *NONE*
 PLOT DATE: *01-21-97*
 BY: *J.M*
 PREVIOUS REVISION DATE: *NONE*



DEPARTMENT OF PUBLIC WORKS
CITY OF TROUTDALE
*ACCESS & UTILITY EASEMENT DEDICATION
 LOT 24 STRAWBERRY MEADOWS I*

MULTNOMAH COUNTY, OREGON
 JANUARY 1997

AFTER RECORDING, RETURN TO:
Riverside Homes, Inc.
c/o Regional Manager
15455 NW Greenbrier Pkwy, #140
Beaverton, Oregon 97006

EASEMENT FOR ACCESS AND UTILITIES

THIS EASEMENT AGREEMENT, is made and entered into the 27th day of December, 1996, by and between Riverside Homes, Inc., an Oregon corporation and David D. Degraff, Jr., as "Grantor," and the City of Troutdale, a municipal corporation of the State of Oregon, as "Grantee."

WHEREAS, Grantor is the record owner of the following described real estate in Multnomah County, State of Oregon, to-wit:

Lot 24 of the plat of Strawberry Meadows filed December 4, 1995, in the City of Troutdale, in plat Book 1230 at pages 70-73 Records of the County of Multnomah and State of Oregon. (hereinafter "Grantor property")

and has the unrestricted right to grant the easement hereinafter described relative to the real estate.

WHEREAS, Grantee is the owner of the following described real estate in Multnomah County, State of Oregon to-wit:

Tract "B" of the plat of Strawberry Meadows filed December 4, 1995, in the City of Troutdale, in plat Book 1230 at pages 70-73 Records of the County of Multnomah and State of Oregon. (hereinafter "Grantee property")

which property is adjacent to Grantor's property.

NOW, THEREFORE, in consideration of mutual benefits the receipt of which is hereby acknowledged, the parties agree as follows:

Grantor does hereby grant, assign and convey to Grantee a permanent nonexclusive easement for ingress, egress and utilities over, across, and below the following described property:

Being a tract of land located in a portion of Lot 24 of Strawberry Meadows in the southwest one-quarter of Section 25, township 1 North, Range 1 East, Willamette Meridian, City of Troutdale, Multnomah County, Oregon, and being more particularly described as follows:

Beginning at the most westerly corner of said Lot 24, also being the most northerly corner of Tract "B" as the Point of Beginning; thence S 41°46'33" E, along the southwesterly line of said Lot 24, 55.79 feet to a point; thence N 48°13'27" E 20.00 feet to a point; thence N 41° 46'33" W, parallel to the southwesterly line of said Lot 24, 55.79 feet to the northwesterly line of said Lot 24; thence S 48°13'27" W, along said northwesterly line, 20.00 feet to the Point of Beginning. Containing 1,116 square feet more or less.

Except as to the rights herein granted, Grantor shall have the full use and control of the above described real estate. Grantee agrees to hold and save Grantor harmless from any and all claims of third parties arising from Grantee's use of the rights herein granted. During the existence of this easement, maintenance of the easement and costs of repair of the easement property shall be the responsibility of Grantee.

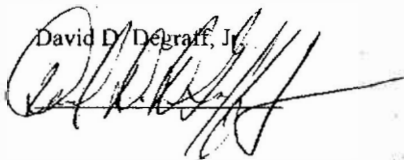
This easement agreement shall run with the land and bind and inure to the benefit of the parties and their respective heirs, executors, administrators, successors and assigns in interest.

In construing this agreement, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this agreement shall apply equally to individuals and to corporations. If the undersigned is a corporation, it has caused its name to be signed and its seal (if any) affixed by an officer or other person duly authorized to do so by its board of directors.

IN WITNESS WHEREOF, the parties have hereunto set their hands on this, the day and year first hereinabove written.

GRANTOR:

GRANTEE:


David D. Degraff, Jr.


CITY OF TROUTDALE

By: 

Its: _____

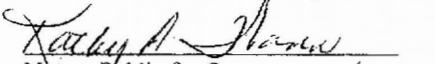
Riverside Homes, Inc.

By: 
Todd Boyce
Regional Manager

STATE OF OREGON }
County of Multnomah } ss.

On December 23, 1996 personally appeared the above named David D. Degraff, Jr. and acknowledged the foregoing instrument to be his voluntary act and deed.

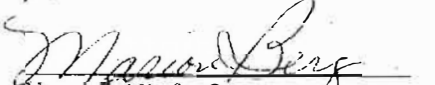



Kathy A. Wann
Notary Public for Oregon
My Commission expires: 5/18/98

STATE OF OREGON }
County of Multnomah } ss.

The foregoing instrument was acknowledged to me this 2nd day of February, 1997, by George Mastling, the City Manager of City of Troutdale, an Oregon municipal corporation.

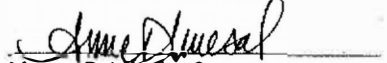



Marion Berg
Notary Public for Oregon
My Commission expires: 5-18-98

STATE OF OREGON }
County of Washington } ss.

The foregoing instrument was acknowledged to me this 23rd day of Dec., 1996, by Todd Boyce, the Regional Manager of Riverside Homes, Inc., on Oregon corporation.




Anne D. Knesal
Notary Public for Oregon
My Commission expires: 8-14-98

