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RESOLUTION NO. 1311

A RESOLUTION GRANTING A QUITCLAIM DEED TO FRANK AND MARALEE CARD TO CORRECT A BOUNDARY ENCROACHMENT

WHEREAS, the City of Troutdale is the owner of a vacant piece of property, identified as Tax Lot 9100 on Multnomah County Tax Map 1N3E25CA, that will be developed as a public park known as Mayor Square; and,

WHEREAS, Frank and Maralee Card are the owners of an adjacent piece of property, identified as Tax Lot 9000 on Multnomah County Tax Map 1N3E25CA, containing a chiropractic clinic; and,

WHEREAS, a recent survey of the boundary common to these two properties in conjunction with the Mayor Square project revealed that the chiropractic clinic owned by Frank and Maralee Card encroaches three feet onto the property owned by the City of Troutdale; and,


WHEREAS, this encroachment has likely existed since the structure was built in 1906 and because of the duration of this encroachment the Card's could claim ownership of the three foot encroachment area through adverse possession; and,

WHEREAS, now that both parties are aware of this encroachment they desire to correct it by a conveyance of the three foot encroachment strip together with a lot line adjustment;


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

The attached quitclaim deed for the three foot property encroachment be given to Frank and Maralee Card and that a lot line adjustment be processed through the Community Development Department to legally correct the common boundary between the two properties.

YEA: 5
NAY: 0
ABSTAIN: 0



Paul Thalhofer, Mayor
Dated: 5-14-97



George Martinez, City Recorder
Adopted: 5-13-97

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



MULTNOMAH COUNTY OREGON

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

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



10.00

97077598 1:08pm 05/23/97

003 40016783 04 03
E79 2 0.00 10.00 0.00 0.00

**THIS PAGE IS A PART OF THE OFFICIAL DOCUMENT
PLEASE DO NOT REMOVE**

CITY OF TROUTDALE, a municipal corporation, Grantor

FRANK S. and MARALEE CARD, Grantees

**AFTER RECORDING
RETURN TO:**

Frank S. and Maralee Card
2820 NE Cleveland Avenue
Gresham, OR 97030

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

 43.00

97077599 1:09pm 05/23/97

001 40016783 04 03
A43 4 0.00 20.00 3.00 20.00 0.00 0.00

Until a change is requested, all tax statements shall be sent to the following address:

Frank S. and Maralee Card
2820 NE Cleveland Avenue
Gresham, OR 97030

QUITCLAIM DEED


CITY OF TROUTDALE ("Grantor"), releases and quitclaims FRANK S. AND MARALEE CARD ("Grantees"), all right, title, and interest in and to that certain real property described in Exhibit A, which is attached hereto and by this reference made a part hereof.

The actual consideration consists of other value given which is the whole consideration.

REQUIRED NOTICE: This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ors 30.930.

Dated this 14th day of May, 1997.

CITY OF TROUTDALE

By 

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on the 14th day of May, 1997, by Paul Thalhoffer as Mayor of the City of Troutdale, Oregon.



Marion Berg
Notary Public for Oregon
My Commission expires: 5-19-98

EXHIBIT A

The west three feet of the east one-half of Lot 3, Block 1, Troutdale, in the City of Troutdale, County of Multnomah, State of Oregon.

TROUTDALE COLUMBIA RIVER HIGHWAY (COUNTY RD. NO. 5003)

N 89°37'50" W

BASIS OF BEARINGS

EXHIBIT 1

2224.81'(2224.77')(R1)

UNSCRIBED

259.76'

30.00'

S 89°37'50" E

127.87'

S 89°37'50" E

74.92'

LOT 1

LOT 2

LOT 3

71.92'

LOT 4

FRANK/MARALEE CARD
(Chiropractic
Clinic)

ENCROACHMENT AREA
299 S.F.

DOCUMENT NO.
94-167881

PARCEL 1
7,164 S.F.

CITY OF TROUTDALE
(Mayor Square)

30.00'

30.00'

TROUTDALE
BLOCK 1

N 00°18'05" E 99.65'

N 00°18'05" E 99.65'

99.53'

199.53'

259.51'

S 89°43'41" E

124.92'

3.00'

71.96'

FD. 3/4" I.P.
(HELD)

99.94'

24.98'

S 89°43'41" E

74.96'

LOT 5

LOT 6

PARCEL 2
14,986 S.F.

50.00'

S 00°16'42" W

N 00°16'42" E

DORA STREET

N 89°42'32" W

99.96'

N 00°18'19" E

49.97'

99.96'

LOT 7

LOT 8

50.00'

DOCUMENT NO.

S 89°41'23" E

99.99'

FD. 1/2" I.P.
(HELD)

N 89°41'23" W

99.99'

INITIAL POINT

30.00'

S 89°41'23" E

260.00'

S.E. 2ND STREET

30.00'

290.03'(290.00')(P1)