

78.00

98195792 2:02pm 10/29/98

009 40027589 04 12  
R49 6 5.00 30.00 3.00 20.00 20.00

**RESOLUTION NO. 1415**

**A RESOLUTION ACCEPTING THE DEDICATION OF A 6-FOOT WIDE PUBLIC ACCESS AND WATER UTILITY EASEMENT FROM JOANNE MAURINE CONNELL, THE LEGAL OWNER OF THE PROPERTY AT 2077 WEST HISTORIC COLUMBIA RIVER HWY, IN TROUTDALE, OREGON, COUNTY OF MULTNOMAH.**

**WHEREAS**, the need to obtain a public access and water utility easement, from Mrs. Connell, the legal property owner of the property referenced above, for this new 12-inch water main was triggered by the improvements by the Oregon Department of Transportation (ODOT) as part of the I-84 Railroad Bridge and Highway Widening; and

**WHEREAS**, obtaining this public access and utility easement (PUE) to install this 12-inch ductile iron water main was done for the best interest, benefit and welfare of the citizens of the City of Troutdale; and


**WHEREAS**, this public access and utility easement is 6-foot wide in typical width and it extends through Mrs. Connell's property as is more particularly shown graphically on the attached exhibit map labeled "Public Access and Water Utility Easement/Exhibit Map," and dated October 1998; and


**WHEREAS**, said utility access and utility easement gives the maintenance crews of the City of Troutdale the legal and permanent right to ingress/egress these premises to maintain, own and operate this water main.

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

That this 6-foot wide public access and water utility easement, more particularly described in the attached written description and as is shown graphically in the exhibit maps accompanying this resolution, be accepted by the Troutdale City Council.

**YEAS:** 6  
**NAYS:** 0  
**ABSTAINED:** 0

  
Paul Thalhofer, Mayor  
Dated: 10-16-98

  
George Martinez, City Recorder  
Adopted: 10-13-98

C:\RESOL98

After recording, please return to:  
Debbie Stickney  
City of Troutdale  
104 SE Kibling Ave.  
Troutdale, OR 97060

EASEMENT #1 - 13261100.1  
CITY OF TROUTDALE  
UPRR BRIDGE WATERLINE RELOCATION  
C&M PROJECT NO. 200-001A

JOANNE CONNALL, OWNER  
LAWRENCE STEEL INC. (TEL: 503-669-4996)  
2077 WEST COLUMBIA RIVER HWY  
TROUTDALE, OR 97060

**WATERLINE (PUBLIC UTILITY) PERMANENT EASEMENT/CONSTRUCTION  
EASEMENT**

PARCEL: 1N 3E 26B 1100, 2.98 ACRES, MULTNOMAH COUNTY, OREGON  
ASSESSOR MAP: 1N3E26B1100 (WEST HALF)  
ACTUAL LOCATION: 1N3E26BC1100, DLC #48  
FEE NO.: 80-88532 (BOOK 1483, PAGE 729)  
PREPARED: JULY 28, 1997; Revised May 18, 1998  
LOCATION: NORTH SIDE COLUMBIA RIVER HWY, EAST SIDE DUNBAR AVE.  
PLAN SHEET: ODOT 61 OF 87, DRAWING NO. 53467

\*\*\*\*\*

A NON-EXCLUSIVE PERMANENT EASEMENT FOR INGRESS, EGRESS, PUBLIC UTILITY AND MAINTENANCE PURPOSES OVER, UNDER AND ACROSS A STRIP OF LAND SIX FEET IN WIDTH MEASURED THREE FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE:

SAID PUBLIC UTILITY EASEMENT BEING LOCATED IN THE TRACT DESCRIBED IN BOOK 2563, PAGE 30 OF THE MULTNOMAH COUNTY RECORDS AND SAID TRACT BEING LOCATED IN THE JAMES SCOTT DONATION LAND CLAIM (DLC) NO. 48 IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF MULTNOMAH AND STATE OF OREGON.

BEGINNING AT A POINT WHICH IS LOCATED AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF VACATED COUNTY ROAD NUMBER 1189 (SUN DIAL ROAD) AND THE NORTHERLY LINE OF COUNTY ROAD NUMBER 917 (HISTORIC COLUMBIA RIVER HIGHWAY; THENCE NORTH 00 06'10" WEST A DISTANCE OF 97.96 FEET ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF SAID VACATED COUNTY ROAD NUMBER 1189 TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING OF SAID PUBLIC UTILITY EASEMENT:

THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 61 10'16" EAST A DISTANCE OF 141.34 FEET TO AN ANGLE POINT; THENCE NORTH 52 30'00" EAST A DISTANCE OF 24.79 FEET TO A POINT ON SAID NORTHERLY TRACT LINE, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE O.W.R.R. &

N. CO. RAILROAD AND THE TERMINUS OF SAID PUBLIC UTILITY EASEMENT; SAID TERMINUS POINT BEING LOCATED NORTH 00 06' 10" EAST A DISTANCE OF 97.96 FEET AND SOUTH 75 57'50" EAST FROM THE SAID TRUE POINT OF BEGINNING.

ALSO A CONSTRUCTION EASEMENT OVER, UNDER AND ACROSS A STRIP OF LAND MEASURED 30 FEET SOUTHERLY AND EASTERLY OF THE FOLLOWING DESCRIBED LINE: BEGINNING AT A POINT WHICH IS LOCATED AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF VACATED COUNTY ROAD NUMBER 1189 (SUN DIAL ROAD) AND THE NORTHERLY LINE OF COUNTY ROAD NUMBER 917 (HISTORIC COLUMBIA RIVER HIGHWAY; THENCE NORTH 00 06'10" WEST A DISTANCE OF 97.96 FEET ALONG THE SAID EASTERLY RIGHT-OF-WAY LINE OF SAID VACATED COUNTY ROAD NUMBER 1189 TO A POINT; SAID POINT BEING THE TRUE POINT OF BEGINNING OF SAID PUBLIC UTILITY CONSTRUCTION EASEMENT:

THENCE FROM SAID TRUE POINT OF BEGINNING NORTH 61 10'16" EAST A DISTANCE OF 141.34 FEET TO AN ANGLE POINT; THENCE NORTH 52 30'00" EAST A DISTANCE OF 24.79 FEET TO A POINT ON SAID NORTHERLY TRACT LINE, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE O.W.R.R. & N. CO. RAILROAD AND THE TERMINUS OF SAID PUBLIC UTILITY CONSTRUCTION EASEMENT; SAID TERMINUS POINT BEING LOCATED NORTH 00 06'10" EAST A DISTANCE OF 97.96 FEET AND SOUTH 75 57'50" EAST FROM THE SAID TRUE POINT OF BEGINNING.

SAID PERMANENT EASEMENT CONTAINING 0.02 ACRES.

SAID CONSTRUCTION EASEMENT CONTAINING 0.10 ACRES.

STATE OF OREGON

)  
) ss. Joanne Maurine Connell  
)

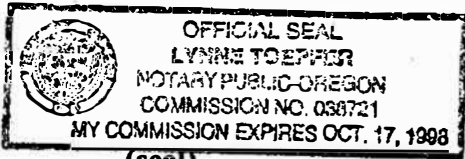
COUNTY OF MULTNOMAH

(D) maeion

Personally appeared the above named Joanne Maurine Connell, and  
acknowledged the foregoing instrument to be ~~his~~ <sup>her</sup> their voluntary act and deed.

BEFORE ME:

Lynne Jaeger  
Notary Public For Oregon  
Commission Expires: Oct 17, 1998



(seal)

CERTIFICATE OF ACCEPTANCE

I, Debbie Stickney, Recorder of the City of Troutdale,  
hereby certify that the foregoing agreement was accepted by the City Council of  
the City of Troutdale on the 13 day of October, 1998, by  
Resolution No. 1415.

Dated this 20 day of October, 1998.

City Recorder

Debbie Stickney

(seal)

STATE OF OREGON

)  
) ss.  
)

COUNTY OF MULTNOMAH

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



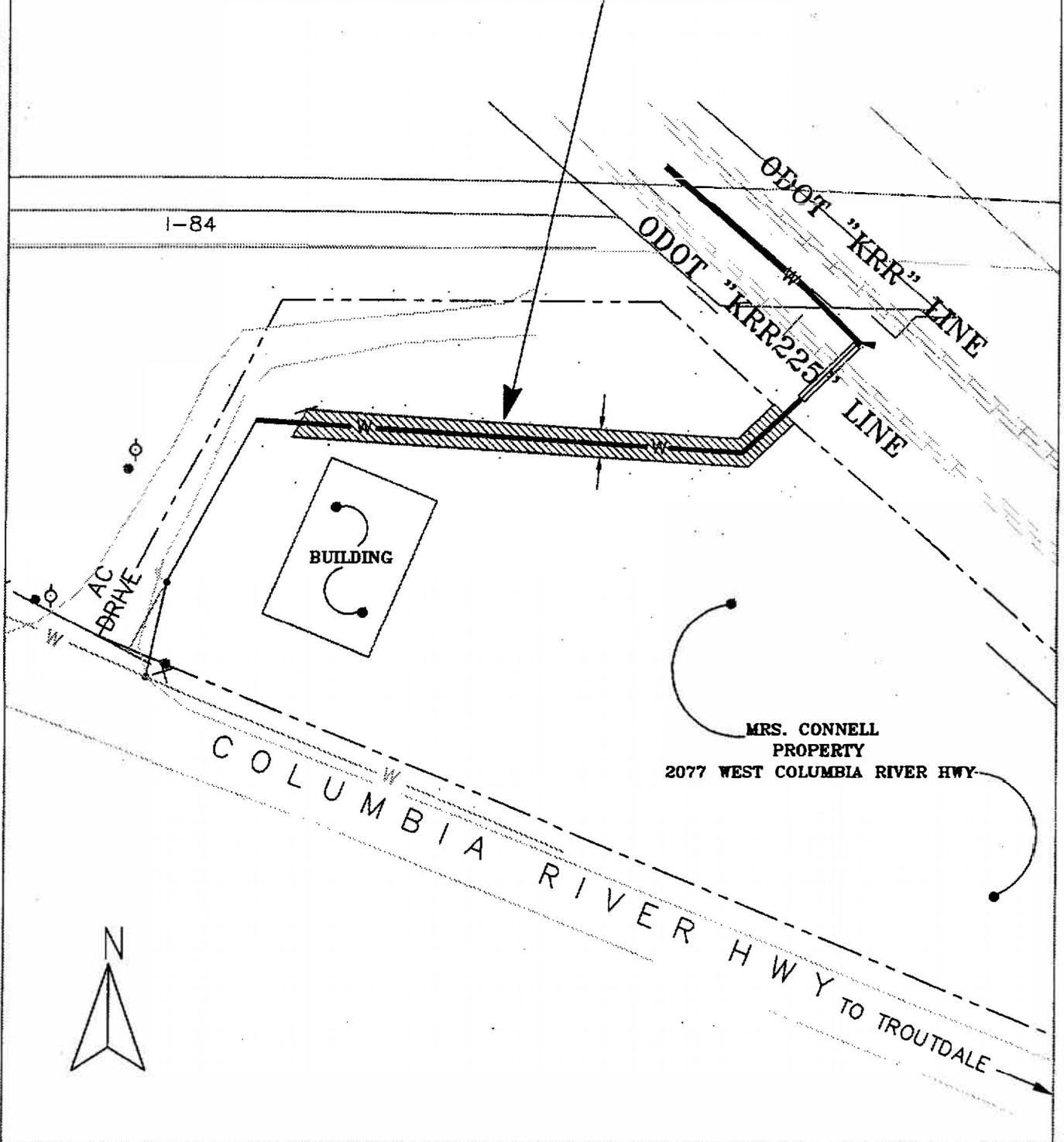
Marion Berg  
Notary Public For Oregon  
Commission Expires: 5-19-2002

(seal)



(3)

# 6' WIDE PUBLIC ACCESS & WATER UTILITY EASEMENT



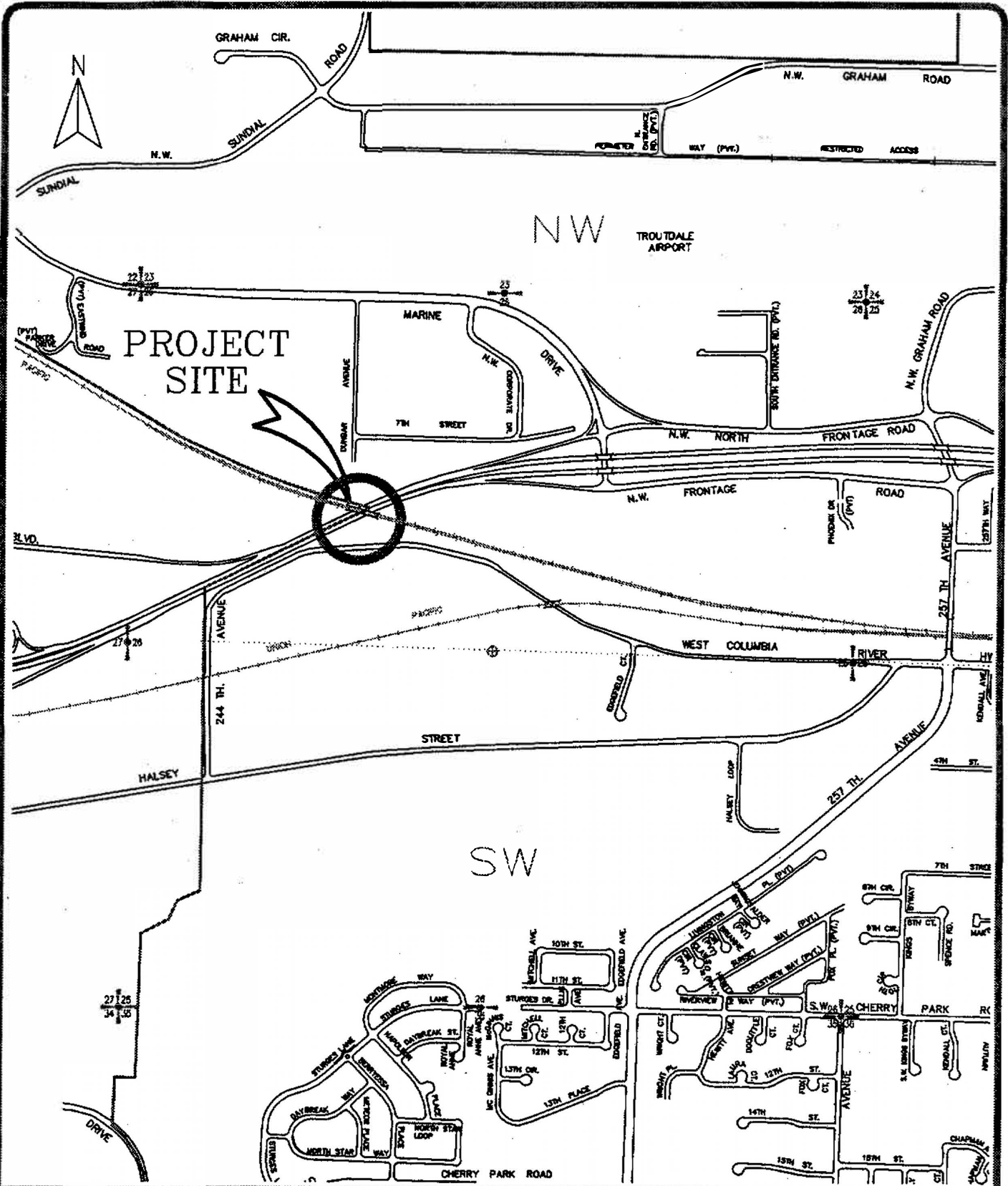
MRS. CONNELL  
PROPERTY  
2077 WEST COLUMBIA RIVER HWY



FILE NAME: *Troutbos*  
TITLE BLOCK: *TB&K11*  
EXTERNAL REFERENCES: *NONE*  
PLOT DATE: *10-05-98*  
BY: *W.H.*  
PREVIOUS REVISION DATE: *NONE*



DEPARTMENT OF PUBLIC WORKS  
CITY OF TROUTDALE  
**Public Access & Water Utility  
Easement/Exhibit Map**  
MULTNOMAH COUNTY, OREGON  
OCTOBER 1998



FILE NAME: TROUTBAS  
 TITLE BLOCK: TB8X11  
 EXTERNAL REFERENCES: NONE  
 PLOT DATE: 10-06-98  
 BY: W.H.  
 PREVIOUS REVISION DATE:



DEPARTMENT OF PUBLIC WORKS  
**CITY OF TROUTDALE**  
*Public Access & Water Utility*  
*Easement Dedication/Vicinity Map*  
 MULTNOMAH COUNTY, OREGON  
 OCTOBER 1998