

RESOLUTION NO. 1536

A RESOLUTION ACCEPTING THE DEDICATION OF NEW PUBLIC RIGHTS-OF-WAY FOR SW 29TH STREET (FROM SW LUCAS AVENUE TO SW 28TH STREET), SW MCGINNIS AVENUE (FROM SW 28TH STREET TO THE COMMON PROPERTY LINE OF THE TROUTDALE COMMONS CENTER & BURLINGAME EAST), AND SW 28TH STREET (FROM SW MCGINNIS AVENUE TO SW 28TH STREET'S OLD TERMINUS POINT IN CP PARK).

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Burlingame Development Corporation, the present property owner of record of the subject property, entered into an agreement with the Home Depot Corporation to construct a Home Depot Store within their property in the City of Troutdale.
2. The developer and property owner hired WRG Design of Portland, Oregon to do the civil engineering work for this store and its required public improvements.
3. The civil engineering firm and City staff agreed on the need to dedicate public rights-of-way to the City of Troutdale from within this property in which to construct the required public utilities to serve this new business, and to provide safe, adequate pedestrian and vehicular access to this site.
4. Accordingly, the necessary legal descriptions and exhibit maps were prepared, reviewed by City staff, finalized and signed by the property owners of record. Upon acceptance of such documents by the Troutdale City Council, they will be recorded with Multnomah County.

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

That the rights-of-way dedications for SW 29th Street (from SW Lucas Avenue to SW 28th Street), SW McGinnis Avenue (from SW 28th Street to the common property line of the Troutdale Commons Center and Burlingame East), and SW 28th Street (from SW McGinnis Avenue to SW 28th Street's old terminus point in CP Park) as they are further described and depicted on the attached Exhibit 1 and Exhibit 2 are accepted by the Troutdale City Council.

YEAS: 6
NAYS: 0
ABSTAINED: 0


Paul Thalhofer, Mayor

Dated: 1-25-01


Debbie Stickney, City Recorder

Adopted: January 23, 2001

Recorded in the County of Multnomah, Oregon

C. Swick, Deputy Clerk

Total : 44.00

2001-021629 02/15/2001 01:32:46pm ATSM

A31	6	REC	SUR	DOR	OLIS
		30.00	3.00	10.00	1.00

After recording, return to:

City Recorder

City of Troutdale

104 S.E. Kibling Ave.

Troutdale, OR 97060-2099

(Right of Way)

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that BURLINGAME DEVELOPMENT, INC., an Oregon corporation, hereinafter called Grantor, bargains, sells and conveys to the CITY OF TROUTDALE, its successors and assigns, hereinafter called Grantee, the following-described real property situated in Multnomah County, Oregon, and does hereby forever dedicate unto said Grantee, that certain real property described on Exhibit A attached hereto.

The true consideration for this conveyance is for no monetary consideration but for other good and valuable consideration, to wit: City of Troutdale approval of Land Use File No. SDR 99-042.

DATED this 22nd day of December, 2000.

BURLINGAME DEVELOPMENT, INC.,
an Oregon corporation

By: Burlingame Development
Name: Alma Burlingame
Title: President

Tax statements shall be sent to the following address:
City of Troutdale
104 SE Kibling Ave.
Troutdale, OR 97060

6

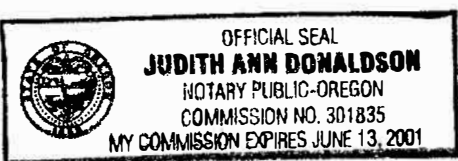
STATE OF Oregon
County of Multnomah) ss.

On 12-22, 2000, before me, Judith Ann Donaldson Notary Public in and for said state, personally appeared Donna Burlingame personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Judith Ann Donaldson
SIGNATURE OF NOTARY PUBLIC

(SEAL)



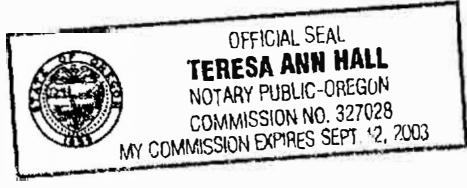
CERTIFICATE OF ACCEPTANCE

I, Debbie Stickney City Recorder for the City of Troutdale, hereby certify that the foregoing Bargain and Sale Deed (Right-of-Way) was accepted by the City Council of the City of Troutdale on the 23 day of January, 2001 by Resolution No. 1536.

Dated this 14 day of February 2001.

Debbie Stickney
City Recorder

STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)



Before me personally appeared the above named City Recorder and acknowledged the foregoing instrument to be the voluntary act and deed of the City of Troutdale.

Teresa Ann Hall
Notary Public for Oregon
My Commission Expires: Sept 12, 2003

EXHIBIT "A"

HOME DEPOT
TROUTDALE, OREGON
RIGHT-OF-WAY DEDICATION
JOB NO. HOD007
OCTOBER 26, 2000
SHEET 1 OF 4

LEGAL DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE SOUTH HALF OF SECTION 35 IN TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN AND LOCATED IN THE CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON, SAID PARCEL DESCRIBED SPECIFICALLY AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF S.E. STARK STREET, 40.00 FEET NORTHERLY FROM THE CENTERLINE THEREOF, MEASURED PERPENDICULAR THERETO, WITH THE EASTERLY LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO ELLA SOPHIA CALKINS RECORDED JANUARY 16, 1920 IN BOOK 791, PAGE 418, MULTNOMAH COUNTY DEED RECORDS, SAID POINT OF **COMMENCEMENT** BEARS SOUTH 88°35'51" EAST, 2153.41 FEET AND NORTH 00°27'45" EAST, 40.01 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 35;

THENCE ALONG SAID EASTERLY LINE NORTH 00°27'45" EAST, 833.10 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE LEAVING SAID EASTERLY LINE SOUTH 88°35'36" EAST, 620.70 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A 175.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF 42°48'46" (THE LONG CHORD BEARS SOUTH 67°11'13" EAST, 127.74 FEET) AN ARC DISTANCE OF 130.76 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF 42°50'58" (THE LONG CHORD BEARS SOUTH 67°12'18" EAST, 91.32 FEET) AN ARC DISTANCE OF 93.48 FEET TO A POINT OF COMPOUND CURVATURE;

THENCE ALONG THE ARC OF A 18.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHWEST, THROUGH A CENTRAL ANGLE OF 90°00'00" (THE LONG CHORD BEARS NORTH 46°22'14" EAST, 25.46 FEET) AN ARC DISTANCE OF 28.27 FEET TO A POINT OF NON-TANGENCY;

THENCE SOUTH 88°37'46" EAST, 50.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE ALONG THE ARC OF A 13.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF 90°00'00" (THE LONG CHORD BEARS SOUTH 43°37'46" EAST, 18.38 FEET) AN ARC DISTANCE OF 20.42 FEET TO A POINT OF TANGENCY;

SHEET 2 OF 4

THENCE SOUTH $88^{\circ}37'46''$ EAST, 18.00 FEET TO THE SOUTHWEST CORNER OF LOT 1 BLOCK 6 OF THE PLAT "C.P. PARK" RECORDED IN BOOK 1209, PAGE 43 & 44, MULTNOMAH COUNTY PLAT RECORDS;

THENCE ALONG THE WESTERLY LINE OF TRACT "D" SAID PLAT "C.P. PARK" SOUTH $01^{\circ}22'14''$ WEST, 60.00 FEET TO THE NORTHWEST CORNER OF LOT 15 BLOCK 5 SAID PLAT "C.P. PARK";

THENCE NORTH $88^{\circ}37'46''$ WEST, 13.00 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A 13.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHEAST, THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$ (THE LONG CHORD BEARS SOUTH $46^{\circ}22'14''$ WEST, 18.38 FEET) AN ARC DISTANCE OF 20.42 FEET TO A POINT OF TANGENCY;

THENCE SOUTH $01^{\circ}22'14''$ WEST, 307.38 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A 120.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF $38^{\circ}26'00''$ (THE LONG CHORD BEARS SOUTH $17^{\circ}50'46''$ EAST, 78.99 FEET) AN ARC DISTANCE OF 80.49 FEET TO A POINT OF NON-TANGENCY ON THE SOUTHERLY EXTENSION OF THE WESTERLY LINE OF SAID PLAT "C.P. PARK";

THENCE ALONG SAID SOUTHERLY EXTENSION LINE SOUTH $01^{\circ}22'14''$ WEST, 78.91 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE LEAVING SAID WESTERLY EXTENSION LINE ALONG THE ARC OF A 180.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF $58^{\circ}31'07''$ (THE LONG CHORD BEARS NORTH $27^{\circ}53'19''$ WEST, 175.95 FEET) AN ARC DISTANCE OF 183.84 FEET TO A POINT OF TANGENCY;

THENCE NORTH $01^{\circ}22'14''$ EAST, 307.44 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A 18.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF $88^{\circ}30'56''$ (THE LONG CHORD BEARS NORTH $42^{\circ}53'14''$ WEST, 25.12 FEET) AN ARC DISTANCE OF 27.81 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG THE ARC OF A 175.00 FOOT RADIUS CURVE CONCAVE TO THE NORTHEAST, THROUGH A CENTRAL ANGLE OF $41^{\circ}21'51''$ (THE LONG CHORD BEARS NORTH $66^{\circ}27'46''$ WEST, 123.61 FEET) AN ARC DISTANCE OF 126.34 FEET TO A POINT OF REVERSE CURVATURE;

THENCE ALONG THE ARC OF A 125.00 FOOT RADIUS CURVE CONCAVE TO THE SOUTHWEST, THROUGH A CENTRAL ANGLE OF $42^{\circ}48'46''$ (THE LONG CHORD BEARS NORTH $67^{\circ}11'13''$ WEST, 91.25 FEET) AN ARC DISTANCE OF 93.40 FEET TO A POINT OF TANGENCY;

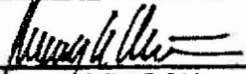
SHEET 3 OF 4

THENCE NORTH 88°35'36" WEST, 619.88 FEET TO SAID EASTERLY LINE OF THE CALKINS TRACT;

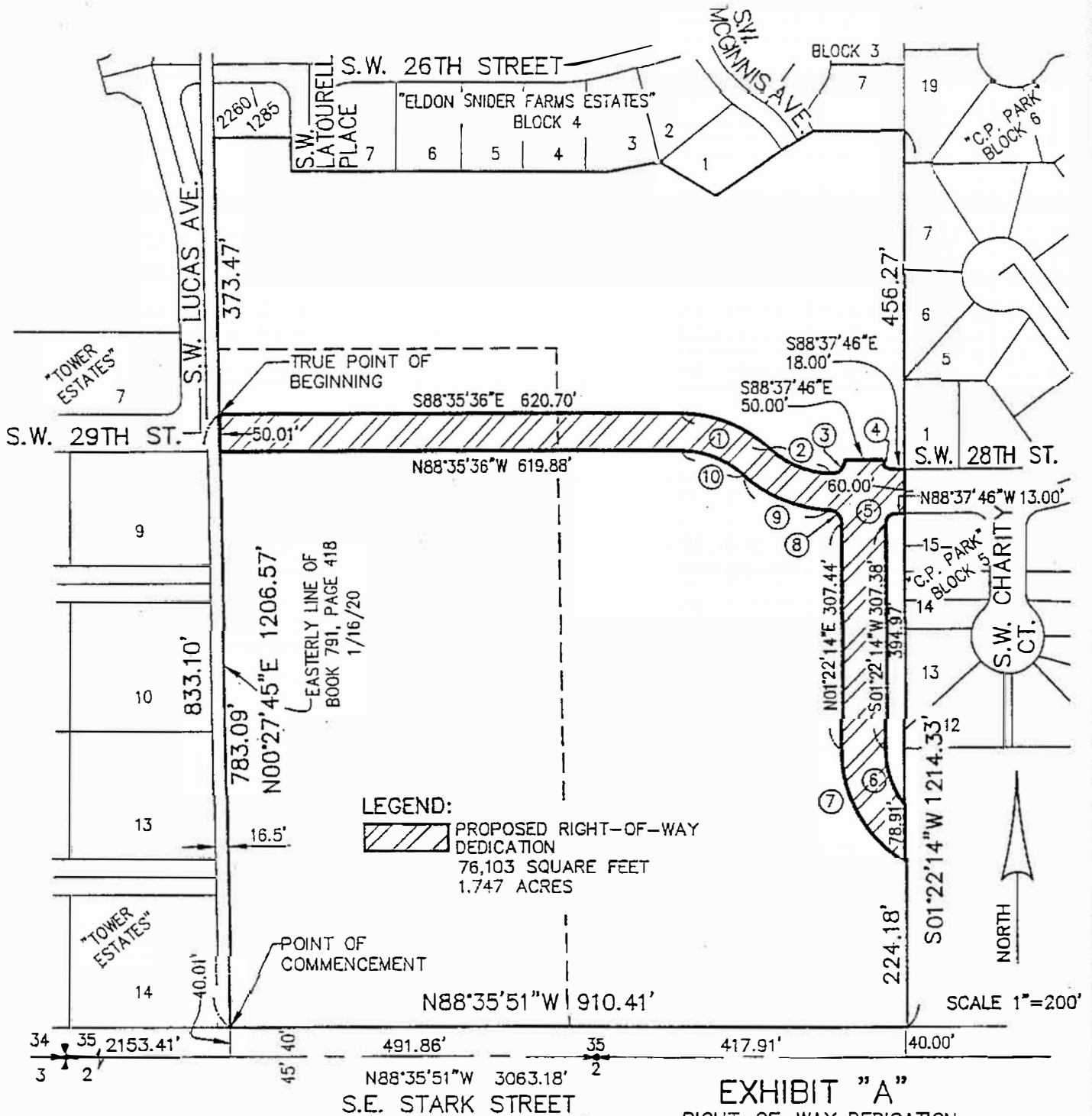
THENCE ALONG SAID EASTERLY LINE NORTH 00°27'45" EAST, 50.01 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 76,103 SQUARE FEET (1.747 ACRES)

REGISTERED
PROFESSIONAL
LAND SURVEYOR


OREGON
JUNE 30, 1997
TROY T. TETSUKA
2841

RENEWAL: 6/30/02



CURVE TABLE				
	DELTA	RADIUS	LENGTH	CHORD
1	42°48'46"	175.00'	130.76'	S67°11'13"E 127.74'
2	42°50'56"	125.00'	93.48'	S67°12'18"E 91.32'
3	90°00'00"	18.00'	28.27'	N46°22'14"E 25.46'
4	90°00'00"	13.00'	20.42'	S43°37'46"E 18.38'
5	90°00'00"	13.00'	20.42'	S46°22'14"W 18.38'
6	38°25'00"	120.00'	80.49'	S17°50'46"E 78.99'
7	58°31'07"	180.00'	183.84'	N27°53'19"W 175.95'
8	88°30'56"	18.00'	27.81'	N42°53'14"W 25.12'
9	41°21'51"	175.00'	126.34'	N66°27'46"W 123.61'
10	42°48'46"	125.00'	93.40'	N67°11'13"W 91.25'

EXHIBIT "A"
 RIGHT-OF-WAY DEDICATION
 LOCATED IN THE SOUTH 1/2 OF SECTION 35,
 IN T 1 N, R 3 E, WILLAMETTE MERIDIAN
 CITY OF TROUTDALE
 MULTNOMAH COUNTY, OREGON
 OCTOBER 26, 2000
 SHEET 4 OF 4 JOB NO. HOD007

W R G
 DESIGN INC.

10450 SW NIMBUS AVE., PORTLAND, OREGON 97223

(503) 603-9933 FAX: (503) 603-9944

PLANNERS ■ ENGINEERS ■ LANDSCAPE ARCHITECTS ■ SURVEYORS