

RESOLUTION NO. 1697

A RESOLUTION ACCEPTING THE DEEDS FOR TRACT A AND LOTS 48 THROUGH 51 IN THE BURLINGAME EAST SUBDIVISION

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City has bought four contiguous lots within Burlingame East subdivision for use as a City park.
2. Tract A in Burlingame East subdivision is an 8,649 square foot, undevelopable tract of land which lies adjacent to these four lots.
3. The developer of Burlingame East subdivision has prepared a deed to transfer ownership of the four lots the City has bought and is also willing to deed Tract A to the City.
4. Acceptance of the warranty deed for Lots 48 through 51 is necessary in order for their ownership to transfer to the City and acceptance of the statutory warranty deed for Tract A is in the public interest.

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


Section 1. The City accepts the deeds conveying Tract A and Lots 48-51 in the Burlingame East subdivision and authorizes the City Administrator to sign any necessary documents to complete the transaction.

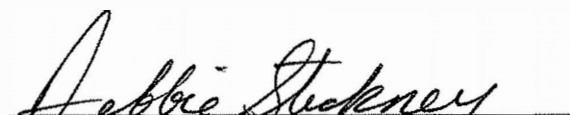
Section 2. This resolution shall take effect immediately upon adoption.

YEAS: 4

NAYS: 0

ABSTAINED: 0


Paul Thakhofer, Mayor
May 28, 2004
Date


Debbie Stickney, City Recorder

Adopted: May 25, 2004

AFTER RECORDING, RETURN TO:

City ~~Administrator~~ **Recorder**
City of Troutdale
104 SE Kibling Avenue
Troutdale OR 97060

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
A37 2 ATKLM
Total : 26.00

UNTIL A CHANGE IS REQUESTED, TAX
STATEMENTS SHALL BE SENT TO:
City of Troutdale, an Oregon Municipal Corporation

2004-101628 06/07/2004 10:58:59am

STATUTORY WARRANTY DEED

Burlingame East, LLC, an Oregon Limited Liability Company, GRANTOR, conveys and warrants to the City of Troutdale, an Oregon Municipal Corporation, GRANTEE, the following real property located in the City of Troutdale, Multnomah County, and State of Oregon (the "Property"):

Tract A, Burlingame East Subdivision, Troutdale, Oregon.

The Property is free of encumbrances, EXCEPT:

1. Utility easements shown on the recorded plat for Burlingame East Subdivision; and
2. Restrictions, conditions and/or setbacks, as shown on the recorded plat for Burlingame East Subdivision.

The true consideration for this conveyance is good and valuable consideration, other than cash, the payment and receipt of which is acknowledged GRANTOR AND GRANTEE.

THIS INSTRUMENT WILL NOT ALLOW THE 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.

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Executed the day and year written below.

GRANTOR:
BURLINGAME EAST, LLC

GRANTEE:
CITY OF TROUTDALE

By: *Donna Burlingame*
Title: Manager
Date: May 10, 2004

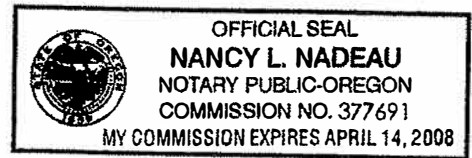
By: *John Anderson*
Title: City Administrator
Date: 5/26/04

STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)



The foregoing instrument was acknowledged and executed before me this ___ day of May, 2004, by DONNA BURLINGAME, Manager, BURLINGAME EAST, LLC, on behalf of the limited liability company.

Nancy L. Nadeau
Notary Public for Oregon
My Commission Expires: April 14, 2008



STATE OF OREGON)
) ss.
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged and executed before me this 26 day of May, 2004, by JOHN ANDERSON, the City Administrator for the CITY OF TROUTDALE.

Teresa Ann Hall
Notary Public for Oregon
My Commission Expires: Sept 12, 2007

I, Debbie Stickney, Recorder for the City of Troutdale, hereby certify that this deed was accepted by the City Council of the City of Troutdale on the 25th day of May, 2004, by Resolution No. 1697. Dated this 26th day of May, 2004.

Debbie Stickney
Debbie Stickney, City Recorder

FATCO. NO. 301428-612

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After recording return to:
City of Troutdale, City Recorder
104 SE Kibling Avenue
Troutdale, OR 97060-2099

Until a change is requested all tax statements
shall be sent to the following address:
City of Troutdale
104 SE Kibling Avenue
Troutdale, OR 97060-2099

File No.: 7012-301428 (MLC)
Date: May 06, 2004

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
A37 2 ATTS
Total : 26.00

2004-095320 05/27/2004 02:48:12pm

STATUTORY WARRANTY DEED

Burlingame East, LLC, an Oregon Limited Liability Company, Grantor, conveys and warrants to **City of Troutdale, an Oregon municipal corporation**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

Lots 48, 49, 50, 51, BURLINGAME EAST, in the City of Troutdale, County of Multnomah and State of Oregon.

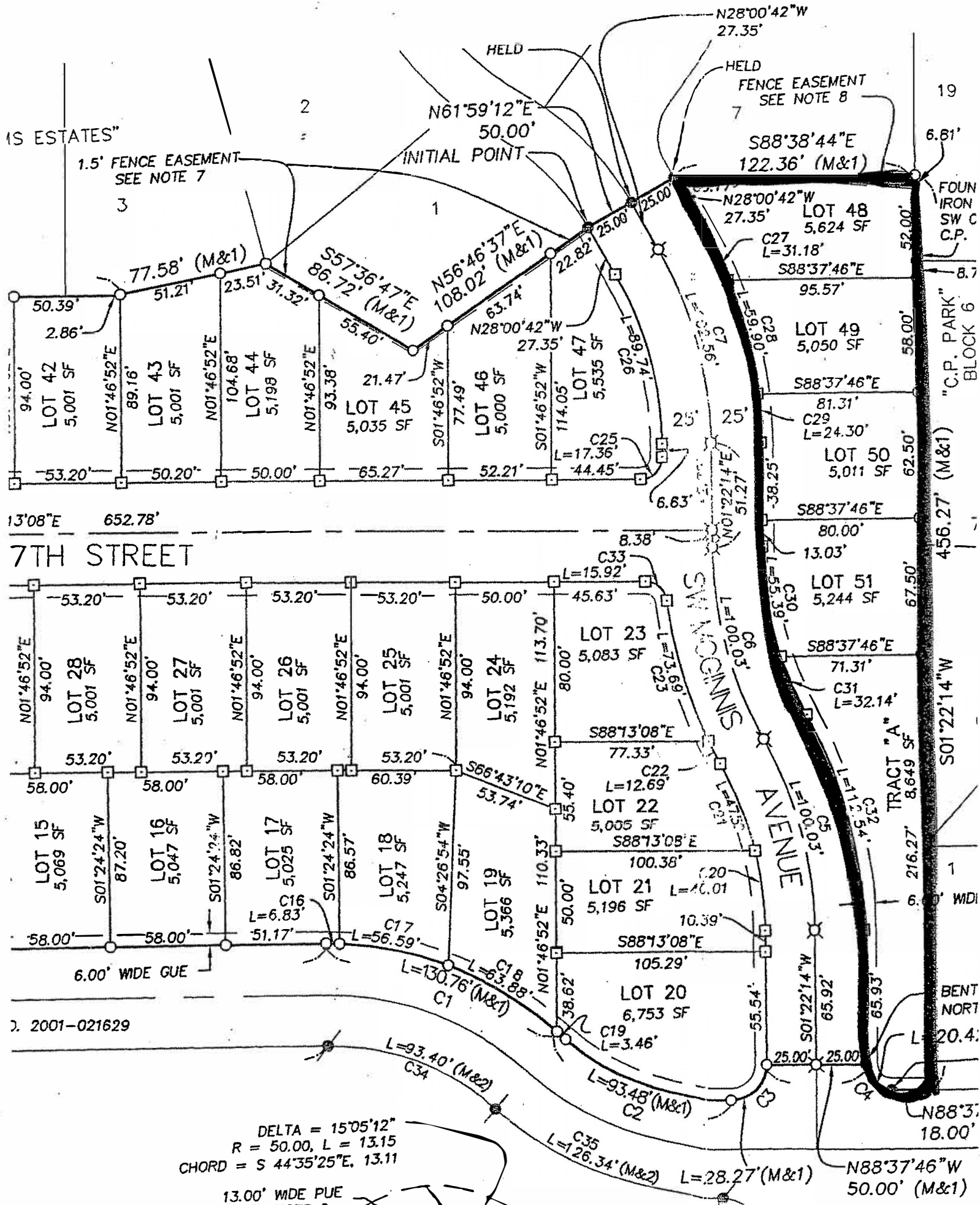
This property is free from liens and encumbrances, EXCEPT:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

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.

The true consideration for this conveyance is **\$252,000.00**. (Here comply with requirements of ORS 93.030)

BURLINGAME EAST



Note to File:

A copy of the Title Insurance Policy and Escrow Agreement are in the Deed
File - #04-16-9-1