

RESOLUTION NO. 1723

A RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE A DEED FOR THE PURCHASE OF THE WELBORN PARCEL FOR WATER LINE PURPOSES

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:


1. The City has identified a need for new 12-inch water main to provide high-capacity connectivity between the existing 12-inch "trunk" lines in Pressure Zone 2.
2. The City originally conceived a project that would achieve the above stated goal by installing approximately 1300 linear feet of new 12-inch main in SW 257th Avenue, at considerable expense.
3. In pursuing the design of the project, City staff identified an alternate approach to the project, in which the same goal can be achieved by installing only about 300 linear feet of new 12-inch water main through the Welborn parcel.
4. City staff approached Mr. Welborn about acquiring access for installation of the waterline. Mr. Welborn has indicated that he will only provide such access by selling the property outright, not by easement or other instrument.
4. By purchasing the Welborn parcel, the City will realize tremendous net cost savings over the aforementioned 257th Avenue alignment in executing this project, and avoid major disruptions to the motoring public during construction.

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

Section 1. The City Administrator is authorized to execute a deed for the purchase of the Welborn parcel for water line purposes.

Section 2. This resolution is effective immediately upon adoption.

YEAS: 7
NAYS: 0
ABSTAINED: 0



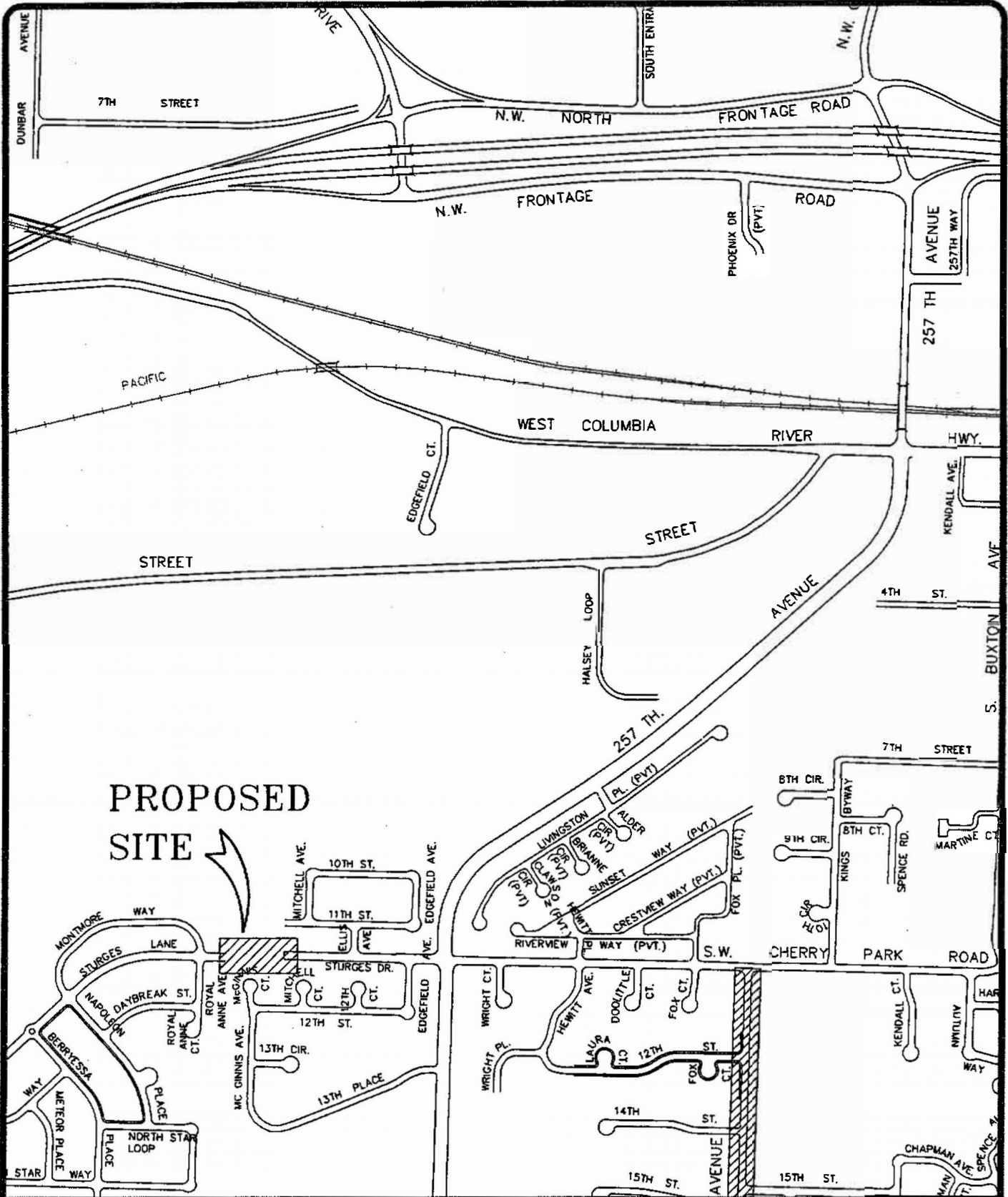
Paul Thalhofer, Mayor
September 16, 2004

Date



Debbie Stickney, City Recorder

Adopted: September 14, 2004



**PROPOSED
SITE**

EXHIBIT A

FILE NAME: VICINITY MAP
 TITLE BLOCK: TBBX11
 EXTERNAL REFERENCES: NONE
 PLOT DATE: 8/28/2001
 BY: TH
 PREVIOUS REVISION DATE: NONE



DEPARTMENT OF PUBLIC WORKS
CITY OF TROUTDALE
Welborn Parcel
 Vicinity Map
 MULTNOMAH COUNTY, OREGON
 8/2001

RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME
Darren M Welborn

GRANTEE'S NAME
City of Troutdale

SEND TAX STATEMENTS TO:
City of Troutdale
104 SE Kibling
Troutdale, OR 97060

AFTER RECORDING RETURN TO:
City of Troutdale, city Recorder
104 SE Kibling
Troutdale, OR 97060

Recorded in MULTNOMAH COUNTY, OREGON
C. Swick, Deputy Clerk
A37 3
Total : 31.00
2004-189134 10/18/2004 11:42:39am
ATKLM

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Darren M Welborn, Grantor, conveys and warrants to

City of Troutdale an Oregon Municipal Corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Multnomah, State of Oregon,

Tract "A", COLUMBIA CREST ESTATES, City of Troutdale, County of Multnomah, Oregon.

Subject to and excepting:

2004-2005 taxes a lien but not yet payable. Easement for Utilities affecting all side and rear lot lines 5 feet in width. Easement for Utilities affecting all front lot lines, 6 feet in width. Covenants, conditions and restrictions, as shown on the plat. Covenants, conditions and restrictions recorded Dec. 14, 1990, Book 2370, Page 1511. Including liens, assessments and charges of any homeowners association created thereby.

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 AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$14,700.00 (See ORS 93.030)

DATED: September 17, 2004

Darren M Welborn

READ AND ACCEPTED BY:

John K. Anderson

CITY OF TROUTDALE

STATE OF OREGON
COUNTY OF Multnomah

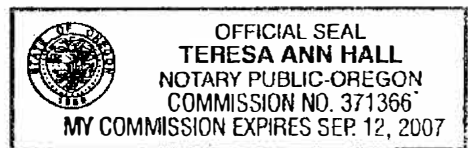
This instrument was acknowledged before me on

Oct. 6, 2004

by John K. Anderson

Teresa Ann Hall

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: Sept. 12, 2007



RECORDING REQUESTED BY
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME
Darren M Welborn

GRANTEE'S NAME
City of Troutdale

SEND TAX STATEMENTS TO:
City of Troutdale
104 SE Kibling
Troutdale, OR 97060

AFTER RECORDING RETURN TO:
City of Troutdale, City Recorder
104 SE Kibling
Troutdale, OR 97060

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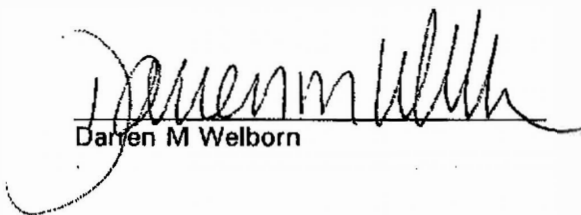
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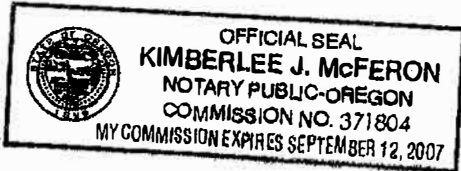

Darren M Welborn

STATE OF OREGON
COUNTY OF Multnomah

This instrument was acknowledged before me on
9-22-04

by Darren M Welborn
K. Se J. A.

NOTARY PUBLIC FOR OREGON
MY COMMISSION EXPIRES: _____



CERTIFICATE OF ACCEPTANCE

I, Debbie, Stickney, City Recorder for the City of Troutdale, hereby certify that the foregoing Warranty Deed was approved by the City Council of the City of Troutdale on the 14th day of September, 2004 by Resolution No. 1723.

Dated this 6th day of October 2004.

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, 2007

