

RESOLUTION NO. 2200

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A TERMINATION OF LICENSE AGREEMENT WITH JEFFREY THOMSEN WHICH ALLOWED ENCROACHMENT ON CITY PROPERTY, AND RESCINDING RESOLUTION NO. 1722

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. The City is the owner of Lot 48 of Burlingame East Subdivision, and Jeffrey Thomsen is the owner of the property immediately to the north.
2. In 2004 the City and Mr. Thomsen entered into a license agreement which allowed Mr. Thomsen's fence to encroach onto City-owned property for as long as Mr. Thomsen owned the property.
3. By its own terms, the license agreement is terminable by the City upon the sale of Mr. Thomsen's property to a third party, which is imminent.

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

Section 1. The City Manager is authorized to sign the Termination of Irrevocable Residential License Agreement which is in substantial conformance to the termination Agreement attached to the staff report as Exhibit "B".

Section 2. Resolution No. 1722 is rescinded.

Section 3. This resolution shall be effective immediately.

YEAS: 7

NAYS: 0

ABSTAINED: 0



Doug Daoust, Mayor

Date

4/26/13



Debbie Stickney, City Recorder

Adopted: April 23, 2013

Multnomah County Official Records
R Weldon, Deputy Clerk

2013-066964



\$71.00

01176435201300669640030039

05/17/2013 09:36:08 AM

TR-EASETERM

Pgs=3 Stn=11 ATPRC

\$15.00 \$11.00 \$15.00 \$10.00 \$20.00

Plu Sarah Skroch

After recording, return to:
CITY OF TROUTDALE
219 E. Historic Columbia River Highway
Troutdale, OR 97060

Mail tax statements to:
No Change

TERMINATION OF IRREVOCABLE RESIDENTIAL LICENSE

This Termination of Irrevocable Residential License is executed on the date shown below by the City of Troutdale, Oregon, a municipal corporation within the State of Oregon, shown as the Licensor, and Jeffrey Thomsen, Licensee, of the license recorded in the following document:

Irrevocable Residential License executed by the City of Troutdale, Oregon, Licensor, and Jeffrey Thomsen, Licensee, as recorded October 11, 2004, recorded under Fee No. 2004-185398, deed records of Multnomah County, Oregon.

The Premises being legally described as: An area encompassing a northern strip of property along lot 48 in the Burlingame East Subdivision, shown on the map attached as Exhibit A and described more particularly as follows:

Beginning at the point on the north property line of lot 48 situated 3617 feet from the Northwest corner, thence South 88°38'44" East along said north property line for 8619 feet to the Northeast corner of lot 48, thence South .01 22'14" West along the east property line of lot 48 for 6.81 feet, thence Northwesterly to the point of beginning.

The license, by its terms, was to continue until the licensee no longer owned the real property located at 2650 SW McGinnis Avenue, Troutdale, Oregon. Licensee, having conveyed said property to a third party, THE CITY OF TROUTDALE, OREGON, a municipal corporation, hereby terminates said License, and Jeffrey Thomsen, Licensee, hereby releases, surrenders, disclaims, and renounces and all right and interest, if any, which arose under the Irrevocable Residential License created by said document, recorded under Fee No. 2004-185398, deed records of Multnomah County, Oregon.

Dated this 30 day of April, 2013.

THE CITY OF TROUTDALE, OREGON, a municipal corporation

BY: Craig R. Ward

TITLE: City Manager

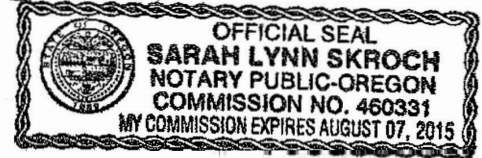
STATE OF OREGON)
)ss.
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me on this 30th day of April, 2013, by Craig R. Ward as City Manager of THE CITY OF TROUTDALE, OREGON, on behalf of the municipal corporation.

Sarah Lynn Skroch 58 Sarah Lynn Skroch

NOTARY PUBLIC—OREGON

My commission expires August 7, 2015



Dated this 19th day of April, 2013.

JEFFREY THOMSEN

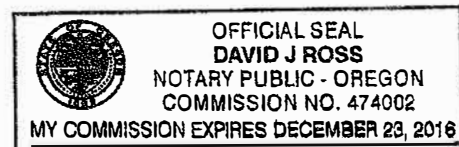
Jeffrey Thomsen

STATE OF OREGON)
)ss.
COUNTY OF MULTNOMAH)

The foregoing instrument was acknowledged before me on this 19th day of April, 2013, by Jeffrey Thomsen.

NOTARY PUBLIC—OREGON

My commission expires 12/23/16



BURLINGAME EAST

LAND IN A PORTION OF THE WM. C. MITCHELL DLC NO. 52
 LOCATED IN THE SW 1/4 AND SE 1/4 OF SECTION 35
 TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN,
 CITY OF TROUTDALE, MULTNOMAH COUNTY, OREGON

APRIL 18, 2003

SCALE 1" = 60'

AREA SUBJECT TO LICENSE

