

RESOLUTION NO. 2174

A RESOLUTION GRANTING A PERPETUAL EASEMENT TO MULTNOMAH COUNTY ADJACENT TO S. TROUTDALE ROAD FOR SLOPE AND DRAINAGE PURPOSES

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. Multnomah County desires to infill a gap in the public sidewalk on the east side of S Troutdale Road adjacent to the City owned Beaver Creek greenway property immediately north of Beaver Creek at S Troutdale Road
2. The topography of the site is such that the sidewalk will be supported by a slope that extends onto the City's greenway property
3. The slope that will support the proposed infill sidewalk will require maintenance and repair from time to time to ensure firm and reliable support for the sidewalk
4. It is in the public interest that this infill sidewalk be constructed, and that such construction be enabled by the granting of a slope and drainage easement to Multnomah County.

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

Section 1. The City agrees to grant a perpetual easement to Multnomah County for slope and drainage purposes on its Beaver Creek greenway property adjacent to S Troutdale Road north of Beaver Creek at S Troutdale Road.

Section 2. The City Manager is authorized to sign an easement document in substantial conformance to the easement document attached to the staff report as Exhibit "A".

Section 3. This resolution shall take effect immediately upon adoption.

YEAS: 7
NAYS: 0
ABSTAINED: 0

Mayor Jim Kight
Mayor Jim Kight

August 30, 2012
Date

Sarah Skroch
Sarah Skroch, Deputy City Recorder

Adopted: August 28, 2012

Grantor:
City of Troutdale
104 SE Kibling St.
Troutdale, OR 97060-2012

S. Troutdale Road
Item No. 2012-10
August 22, 2012

After recording return to:
Patrick Hinds
Land Use & Transportation Division, Bldg. #425

**Until a change is requested,
tax statements shall be sent to:**
Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233

Slope and Drainage Easement

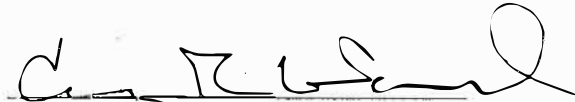
City of Troutdale, an Oregon Municipal Corporation, "Grantor", grants to MULTNOMAH COUNTY, a Political Subdivision of the State of Oregon, "Grantee", a perpetual easement for the construction and maintenance of slope and drainage purposes through, over, under, along and within the real property described in the attached Exhibit A ("Easement Area"). This grant is free of encumbrances except Conditions, Restrictions, Restrictive Covenants, and Easements of Record if any.

Grantor represents and warrants that Grantor has the authority to grant this Easement. Grantor shall not grant or allow any subsequent uses or activities in the Easement Area described which would interfere with the Grantee's use of the Easement Area.

The true consideration paid for this grant stated in terms of dollars is \$0.00, but consists of other value given, which is the whole consideration.

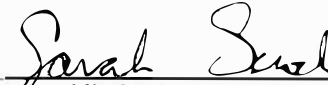
Dated this 30th day of August, 2012

For City of Troutdale:


Craig Ward, City Manager

STATE OF OREGON)
) ss
County of Multnomah)

This instrument was acknowledged before me on August 30, 2012, by Craig Ward, City Manager, authorized to execute the instrument. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.


Notary Public for Oregon
My Commission Expires: August 7, 2015

REVIEWED:
By Jenny M. Morf, Acting County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney



The described property is accepted for use in conjunction with S. Troutdale Road, County Road No. 533, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this _____ day of _____, 2012

By _____
Brian S. Vincent, P.E., County Engineer
for Multnomah County, Oregon

S. Troutdale Road
Item No. 2012-10
August 22, 2012

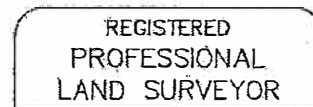
EXHIBIT "A"

PERPETUAL EASEMENT:

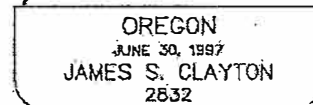
A portion of that tract of land described in that deed to the City of Troutdale, recorded on March 11, 1992 in Book 2516, Page 1486, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 36, Township 1 North, Range 3 East, W.M., Multnomah County, Oregon, more particularly described as follows:

The northerly 460.00 feet, as measured along the easterly right-of-way line of S. Troutdale Road, County Road No. 533, of that portion of said "City of Troutdale" tract, which lies westerly of a line that is 50.00 feet easterly of, when measured at right angles to, and parallel with the centerline of S. Troutdale Road, County Road No. 533.

Containing 4,600 square feet more or less.



A handwritten signature in black ink, appearing to read "JSC".



RENEWAL DATE:

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

EXHIBIT MAP

