

# **RESOLUTION NO. 2525**

## **A RESOLUTION ACCEPTING AN EASEMENT, WITH OBLIGATIONS, FROM THE PORT OF PORTLAND FOR SEGMENTS OF THE 40-MILE LOOP TRAIL**

### **THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:**

1. The Port of Portland (“Port”) and the City have had a long history of cooperation in the improvement of services to the citizens and the business community.
2. The Port wishes to grant an easement, together with the Exhibits thereto (the “Easement”), to the City granting access to maintain and repair a public bikeway and pedestrian path, once constructed by the Port as described in the Easement; and
3. Troutdale is agreeable to maintain and repairing the public bikeway and pedestrian pathway, including the pavement, shoulders, bollards, signage and ADA tactile warnings, after they are constructed by the Port; and
4. The Parties have authority to grant and accept this Easement pursuant to the powers contained in their respective organic documents.

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

Section 1. Agrees that it should accept the Easement, together with the obligations therein, granted by the Port of Portland, attached to the Staff Report.

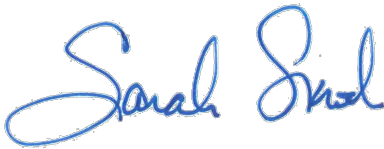
Section 2. Designates the City Manager or Finance Director (each a “City Official) or designee of the City Official, to execute any and all documents necessary to accept the Easement without further action by the City Council. The City Official is hereby authorized, empowered and directed to execute the Easement and determine the commencement date on behalf of the City, together with any and all other required and necessary documents to implement the intent of the Easement.

Section 3. The City Official is hereby authorized to execute, acknowledge and deliver the Easement in substantial conformity with Exhibit A of the Staff Report, including any other supporting and implementing documents, and to take any other action as may be advisable, convenient, necessary, or appropriate to give full force and effect to the terms and intent of the Easement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 4. Further, consistent with the intent of the Easement and in the best interest of the City, the City Official is authorized to determine, execute, acknowledge and deliver any subsequent addendums, extensions, revisions, modifications, or successor documents of the Easement, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 5. This Resolution shall take effect immediately upon adoption.

**YEAS: 7**  
**NAYS: 0**  
**ABSTAINED: 0**



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**Sarah Skroch, City Recorder**  
**Adopted: January 12, 2021**



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**Randy Lauer, Mayor**  
**Date: January 14, 2021**