

## RESOLUTION NO. 2579

### A RESOLUTION ACCEPTING A NON-REMONSTRANCE AGREEMENT FROM EVERETT T. MERRITT FOR NW DUNBAR AVENUE.

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

1. Everett T. Merrett is the owner of the real property at 1032 NW Dunbar Avenue (TLID 1N3E26B-00200) that is being developed.
2. The City requires a non-remonstrance agreement for participation in future street improvements on NW Dunbar Ave. as a condition of development of the property, in lieu of the developer performing required street improvements.
3. Everett T. Merrett has provided the signed non-remonstrance agreement of a form and content that are in accordance with the requirements of the City (attached).

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

Section 1. The City of Troutdale accepts the non-remonstrance agreement, included herewith as Attachment A, from Everett T. Merrett, for NW Dunbar Avenue.

Section 2. This resolution is effective upon adoption.

**YEAS: 6**  
**NAYS: 0**  
**ABSTAINED: 0**



---

**Randy Lauer, Mayor**  
**Date: October 12, 2022**



---

**Sarah Skroch, City Recorder**  
**Adopted: October 11, 2022**

Attachment "A" to Resolution #

RECORD AND RETURN TO:

City Recorder
City of Troutdale
219 E. Historic Columbia River Hwy.
Troutdale, OR 97060

File No. \_\_\_\_\_

(This space is reserved for recorder's use)

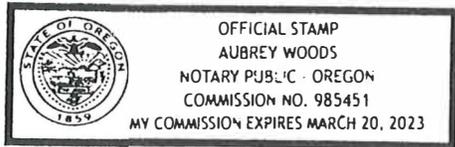
WAIVER (NON-REMONSTRANCE AGREEMENT)
STREET IMPROVEMENTS

The undersigned owners (including purchasers) and their successors of the real property described below do hereby record their consent to the formation of a local improvement district by the City of Troutdale, or imposition of another form or requirement by the City, for the purposes of improving the right-of-way upon which the described property abuts together with public street improvements in, on, or under the right-of-way, including water, sewer, and stormwater facilities. The undersigned expressly waive all present and future rights to oppose or remonstrate against a condition of approval or the formation of a local improvement district, for the improvement of the right-of-way (and other public improvements), reserving only the right to contest the inclusion of particular cost items in the improvement district proceeding and any right they may have under the laws of the State of Oregon to contest the proposed assessment formula.

The real property that is the subject of this consent covenant is described on Exhibit A. [Include legal description and drawing] STREET ADDRESS: 1032 DUNBAR E/M

IN WITNESS WHEREOF, the undersigned have signed and entered into this NON-REMONSTRANCE AGREEMENT as of the 13th day of SEPT., 2022 with the intent that they be legally bound thereby.

Signed: [Signature] Signed: \_\_\_\_\_
Print name: EVERETT T. MERRITT Print name: \_\_\_\_\_
Its: OWNER Its: \_\_\_\_\_

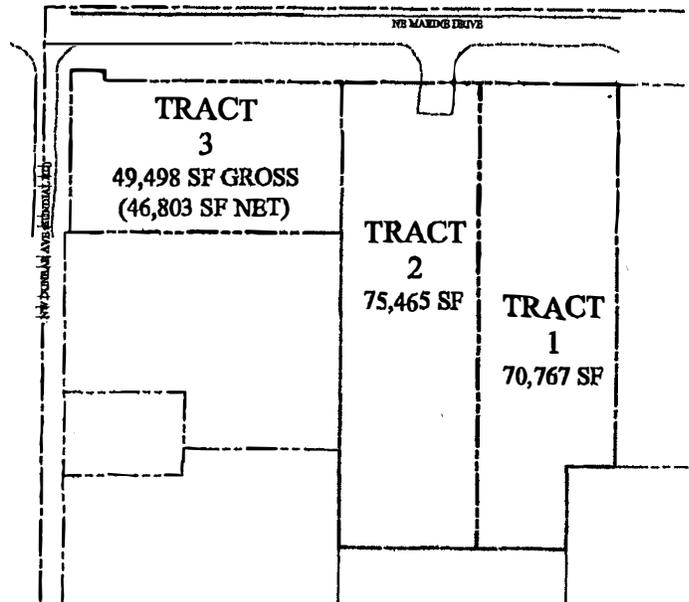


STATE OF OREGON )
) ss.
County of Multnomah )

This instrument was acknowledged before me on this day of Sept 13, 2022 by Mr. Everett T. Merritt and [Signature] as owner of [Address].

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 3-20-2023

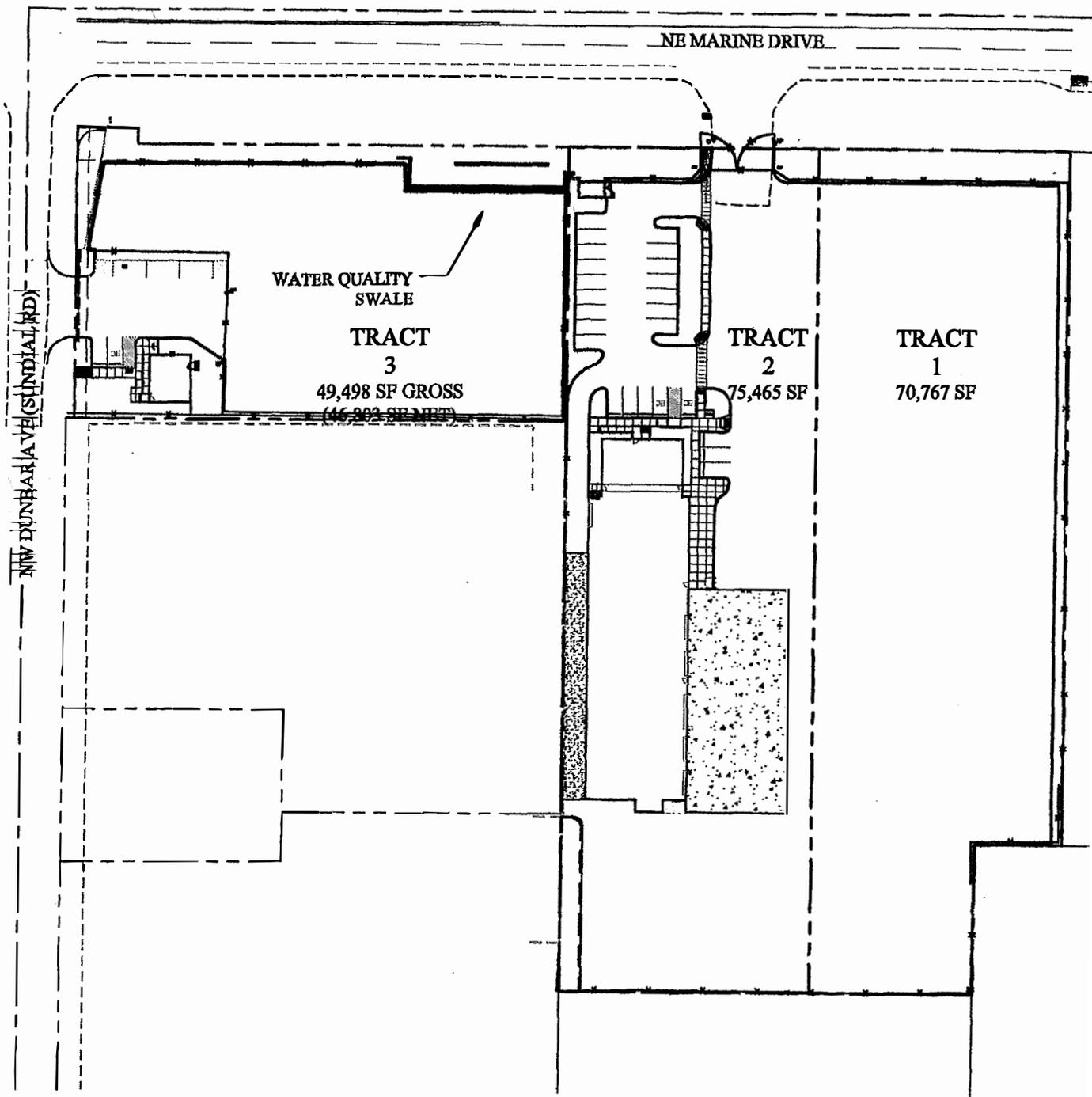
Accepted on behalf of the City of Troutdale this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.



## LEGAL DESCRIPTION

- TRACT 1** Beginning at the Initial Point, being the Northwest corner of Lot 12 of the dually recorded plat of I-84 Corporate Center; thence North 88°41'15" West a distance of 150.00 feet; thence South 01°18'45" West a distance of 503.10 feet; thence South 88°41'15" East a distance of 97.50 feet; thence North 01°18'45" East a distance of 89.49 feet; thence South 88°41'15" East a distance of 52.50 feet; thence North 01°18'45" East a distance of 413.61 feet to the Initial Point.  
Tract containing 70,767 Square Feet more or less.
- TRACT 2** Beginning at the Initial Point, being the Northwest corner of Lot 12 of the dually recorded plat of I-84 Corporate Center; thence North 88°41'15" West a distance of 150.00 feet to the True Point of Beginning; thence South 01°18'45" West a distance of 503.10 feet; thence North 88°41'15" West a distance of 150.00 feet; thence North 01°18'45" East a distance of 150.00 feet to a point on South Right-of-Way Line of NE Marine Drive; thence South 88°41'15" East along said Right-Of-Way line a distance of 150.00 feet to the True Point of Beginning.  
Tract containing 75,465 Square Feet more or less.
- TRACT 3** Beginning at the Initial Point, being the Northwest corner of Lot 12 of the dually recorded plat of I-84 Corporate Center; thence North 88°41'15" West a distance of 300.00 feet to the True Point of Beginning; thence North 88°41'15" West a distance of 258.48 feet; thence North 01°18'45" East a distance of 10.00 feet; thence North 88°41'15" West a distance of 41.52 feet; thence South 01°18'45" West a distance of 173.61 feet; thence South 88°41'15" East a distance of 300.00 feet; thence North 01°18'45" East a distance of 163.61 feet to the True Point of Beginning.  
Tract containing 49,498 Square Feet more or less.

## LEGAL DESCRIPTION -EXHIBIT A



**SITE PLAN -EXHIBIT B**