

RESOLUTION NO. 2464

A RESOLUTION ACCEPTING A NON-REMONSTRANCE AGREEMENT FROM DAN'S CORPORATION 2016 LLC FOR NE HARLOW ROAD

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

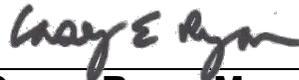
1. Dan's Corporation 2016, LLC is the owner of the real property at 957 NE Harlow Road (TLID 1N3E25B-00600) that is being developed.
2. The City requires a non-remonstrance agreement for participation in future street improvements on NE Harlow Road as a condition of development of the property, in lieu of the developer performing required street improvements.
3. Dan's Corporation 2016, LLC 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 Dan's Corporation 2016, LLC, for NE Harlow Road.

Section 2. This resolution is effective upon adoption.

YEAS: 6
NAYS: 0
ABSTAINED: 0



Casey Ryan, Mayor
Date: July 12, 2019



Sarah Skroch, City Recorder
Adopted: July 9, 2019

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.

IN WITNESS WHEREOF, the undersigned have signed and entered into this NON-REMONSTRANCE AGREEMENT as of the 3rd day of June, 2019 with the intent that they be legally bound thereby.

Signed: Dan Woods
Print name: DAN WOODS
Its: MANAGER

Signed: _____
Print name: _____
Its: _____

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on this day of June 3, 2019, by
Dan Woods and _____, as
Manager of Dan's Corporation 2016 LLC.

[Signature]
NOTARY PUBLIC FOR OREGON
My Commission Expires: 10-6-19

Accepted on behalf of the City of Troutdale this _____ day of _____, 20__.



EXH "A" p 1 of 2

STATE ID 1N3E25B - 00600

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel lying within Section 25, Township 1 North, Range 3 East of the Willamette Meridian, in the City of Troutdale, County of Multnomah and State of Oregon, particularly described as follows:

2

Beginning at the common corner of Sections 23, 24, 25 and 26 Township 1 North, Range 3 East of the Willamette Meridian, in the City of Troutdale, County of Multnomah and State of Oregon; thence North 89°57' East, on the North line of the David Buxton Donation Land Claim, 748 feet to a stone; thence South 0°23' West 303.82 feet to an iron pipe; thence South 0°23' West 100 feet to the true point of beginning of the tract to be described; thence South 0°23' West 174.49 feet to an iron pipe; thence East 840.66 feet to an iron pipe; thence North 19°13' West 184.89 feet, more or less, to the Southeast corner of the tract of land conveyed to Troutdale State Bank, in Deed recorded July 15, 1931 in BOOK (PHOTOSTAT) 136, PAGE 142, Deed Records of said county; thence West, along the South line of said tract, 778 feet to the point of beginning.

EXHIBIT A

NW GRAHAM RD

1027

1009

NE HARLOW RD

Dan's Corporation LLC
2016 Property
(aka "Custom Asphalt")
STATE ID
1N3E25B - 00600

957

853

803

809 807
805

184-257TH RAMP

257TH-184 RAMP

184 FWY

NW 257TH WAY

Street Labels
Address Number
Taxlots | Grey
Troutdale City Limits
Aerial | 2018
RGB
Red: Band_1
Green: Band_2
Blue: Band_3

