

RESOLUTION NO. 2508

A RESOLUTION APPROVING A QUITCLAIM DEED FOR A PORTLAND GENERAL ELECTRIC COMPANY EASEMENT INTEREST IN CERTAIN REAL PROPERTY LOCATED IN THE URBAN RENEWAL PLAN AREA.

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

1. That the Urban Renewal Agency of the City of Troutdale ("Agency"), the duly formed body to implement the urban renewal in Troutdale was established by the adoption of City of Troutdale ("City") Ordinance. No. 771 on January 27, 2006.
2. That in order to protect the public health, safety, and welfare the City adopted the Troutdale Riverfront Renewal Plan ("Plan") on February 14, 2006, by Ordinance No. 773 to provide urban renewal authority to eliminate blight and foster development, and the Agency was assigned to implement the vision, goals and objectives of the Plan to achieve redevelopment of the property in the Plan Section IV Urban Renewal Area ("Plan Area").
3. That the Agency has consolidated real property in the Plan Area in preparation of redevelopment, which will serve a valuable, desirable and necessary, authorized public purpose and general power of the Agency pursuant to Oregon Revised Statutes ("ORS") 457.170, toward the fulfillment of the adopted Plan.
4. That redevelopment of the Plan Area is hindered by easements which no longer serve their intended purpose due to obsolescence, developmental changes, rerouting of utilities, or similar circumstances and are to be abandoned.
5. That a utility easement covering a portion of the Plan Area property has, with consultation with the easement holder Portland General Electric Company (PGE), been determined to be obsolete and no longer needed.
6. That to support development and redevelopment within the Plan Area it is in the best interest of both the City and the Agency, for the City to revoke the obsolete PGE easement and interest in the certain real property, and approve the attached the quitclaim deed.
7. That ORS 457.320 authorizes the City to exercise any of its powers otherwise provided by law to assist in the planning or the carrying out of an urban renewal plan.

8. That it is necessary and desirable for the City and Agency to finalize the partition plat process for Case File 19-061 through the removal of obsolete easements providing support for the future and current needs for development of the Plan Area, and that it would be in the City's best interest.

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

Section 1. The City has determined the easement to be obsolete and no longer needed, and hereby does revoke the easement granted to Portland General Electric Company by Resolution No. 556-R as recorded in Multnomah County Records Book 1827 Pages 400 through 404 Document No. 85-036711.

Section 2. The City hereby, approves and accepts the quitclaim deed in substantial conformity with Attachment A of this resolution, but with any changes the City Official may approve.

Section 3. The City finds and declares that accepting the quitclaim deed interest in the certain real property will serve a valuable, desirable, and necessary public purpose, and is for an authorized public purpose toward the fulfillment of the adopted Plan.

Section 4. The City hereby receives and accepts the foregoing quitclaim deed and accepts the of conveying of any title and interest, in fulfillment of the requirements of Oregon Revised Statutes 93.808.

Section 5. The City hereby declares it serves the public interest, and it is necessary and desirable for the City to assist the Agency to implement the adopted Plan redevelopment projects, pursuant to ORS 457.320.

Section 6. Designation of City Official. The City Manager Ray Young, and Finance Director Erich Mueller, (each an "City Official") are hereby authorized empowered and directed to act on behalf of the City, and without further action by the City Council, to sign the quitclaim deed on behalf of the City, and any and all other required and necessary documents to implement the intent of this resolution.

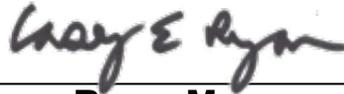
Section 7. Further, as applicable, to implement intent of this Resolution, comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, empowered, directed, and responsible for fulfilling the ministerial, intergovernmental, technical, compliance, procedural or promotional functions as required for the effective administration, correction, modification and implementation actions, and to take any other action as may be advisable, convenient, necessary, or

appropriate, and the execution thereof by any such City Official shall be conclusive as to such determination.

Section 8. The Finance Director is authorized and directed to disburse funds, subject to annual appropriations, as necessary to fulfill the intent of this resolution and is further directed to implement all such actions necessary to ensure budgetary compliance.

Section 9. Effective Date. This Resolution shall take effect immediately upon adoption.

YEAS: 7
NAYS: 0
ABSTAINED: 0



Casey Ryan, Mayor
Date: July 15, 2020



Sarah Skroch, City Recorder
Adopted: July 14, 2020



STATEWIDE LAND SURVEYING INC.

EASEMENT QUITCLAIM DESCRIPTION 11-13-19

Full release of a strip of land on a tract of land situated in the Northwest Quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, County of Multnomah, State of Oregon, said strip of land being an easement 16 feet wide and 8 feet on each side of a centerline, being more particularly described as follows:

Beginning at a Portland General Electric Company power pole, No. 493, which bears N. 11°55'00" E., 60.00 feet, and N. 52°22'32" E., 1.80 feet from the northerly corner of that certain tract of land as described in Book 669, Page 824, Deed Records of said County;

Thence along said centerline, N. 2°35'36" W., 169.01 feet to a Portland General Electric Company power pole, No. 6798, and the terminus of said centerline;

Together with a strip of land 6 feet wide and 3 feet on each side of a centerline, described as beginning at said Portland General Electric Company power pole, No. 6798;

Thence along said centerline, N. 1°56'23" E., 64.13 feet to a Portland General Electric Company power pad, No. 6797, and the terminus of said centerline.

The above-described centerline is shown on Portland General Electric Company Drawing E-6970, and attached Exhibit Map.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 29, 1988
GREGORY D. SPURLOCK
2370

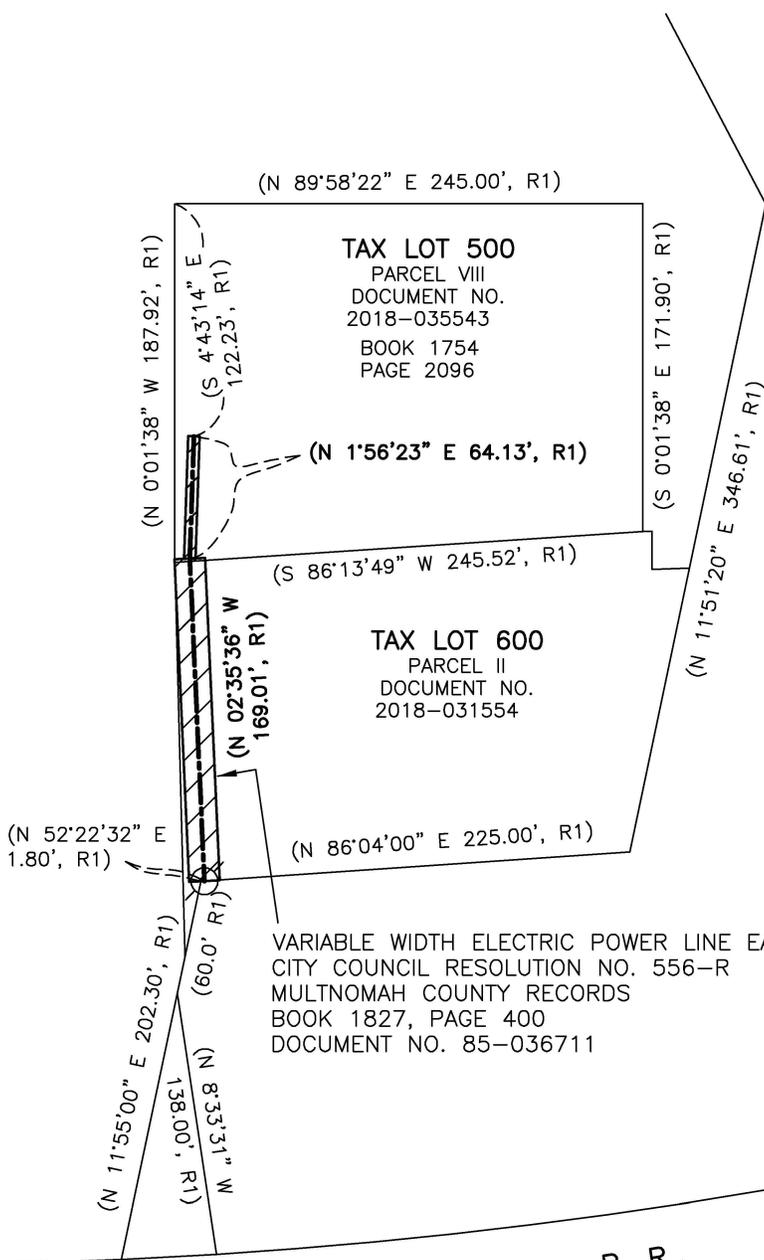
EXPIRES: 06/30/20

EXHIBIT MAP

EASEMENT QUITCLAIM

A VARIABLE-WIDTH STRIP OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, CITY OF TROUTDALE, COUNTY OF MULTNOMAH, STATE OF OREGON

FOR: CITY OF TROUTDALE URBAN RENEWAL AGENCY



BASIS OF BEARINGS:

PS 47700
MULTNOMAH COUNTY
RECORDS

R1 = PORTLAND GENERAL ELECTRIC (P.G.E.)
COMPANY (PGE)
DRG NO. E-6970
BOOK 1827 PAGE 400
RECORDING NO. 85-036711
MULTNOMAH COUNTY RECORDS



= EASEMENT AREA TO BE
QUITCLAIMED

----- = EASEMENT CENTERLINE

VARIABLE WIDTH ELECTRIC POWER LINE EASEMENT
CITY COUNCIL RESOLUTION NO. 556-R
MULTNOMAH COUNTY RECORDS
BOOK 1827, PAGE 400
DOCUMENT NO. 85-036711

REGISTERED
PROFESSIONAL
LAND SURVEYOR

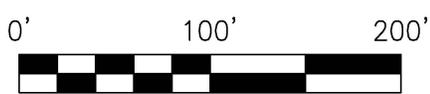
Gregory D. Spurlock

OREGON
JULY 29, 1988
GREGORY D. SPURLOCK
2370

EXPIRES: 06/30/22

O.W.R. & N. R.R.

SCALE: 1" = 100'



STATEWIDE LAND SURVEYING INC.
WWW.STATEWIDESURVEYING.COM
E.SURVEY@STATEWIDESURVEYING.COM



DRAWN	DATE	43 N.W. AVA AVENUE GRESHAM, OR 97030 (F) 503.665.7988 (O) 503.665.7777
T.M.S.	11/13/2019	
CHECKED	DATE	PROJECT NO. 2019-044-C1
G.D.S.	11/13/2019	
SCALE	SHEET	
1"=150'	1/1	

A RESOLUTION DEDICATING AN EASEMENT FOR THE PLACEMENT OF A POWER LINE.

WHEREAS, Portland General Electric has been requested to provide electrical service to WasteWater Management, Inc., a facility located in Section 25, Tax Lot 43, TIN, R3E, W.M., on property owned by the City of Troutdale; and,

WHEREAS, the City believes it to be in the public interest to provide this service;

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

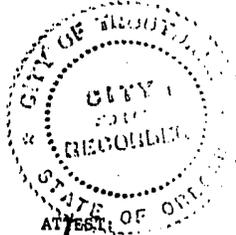
An easement be executed to allow Portland General Electric to construct, maintain and repair overhead and underground electrical service for the facility depicted on the attached easement agreement (Exhibit 1) with the following conditions:

1. The City, at its own discretion, shall have the right to require the removal or relocation of these utilities in conformance with the City of Troutdale standard franchise agreement.
2. Should the relocation or removal of this utility be required, Portland General Electric shall immediately vacate the easement back to the City of Troutdale.
3. The City of Troutdale will prepare a comprehensive plan for the development of the site(s) affected by this power line easement and if said easement conflicts with the final site plan, adjustments in location of the power line will be made by Portland General Electric in accordance with this resolution and the City's franchise with Portland General Electric.
4. By acceptance of this executed agreement, Portland General Electric accepts all terms and conditions associated and made part thereof.

PASSED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 14th
DAY OF August, 1984.

YEAS 5

NAYS 0



Sam K. Cox

 Sam K. Cox, MAYOR
 Date Signed: August 14, 1984

Nancy B. Nixon

 Nancy B. Nixon
 Finance Director/City Recorder

Please Return to:
 City of Troutdale
 104 SE Kibling Street
 Troutdale, OR 97060

MAY 31 1985

ELECTRIC POWER LINE EASEMENT

BOOK 1827 PAGE 401

KNOW ALL MEN BY THESE PRESENTS, That City of Troutdale

(hereinafter called "the Grantors," whether one or more than one), for and in consideration of the payment of the sum of One and no/100 Dollars (\$ 1.00), the receipt of which is hereby acknowledged, hereby grant, sell and convey to Portland General Electric Company, an Oregon corporation,

(hereinafter called "the Grantee," whether one or more than one), its successors and assigns, a perpetual easement and right of way over, under and across the following described parcel of land situated in the Northwest quarter of Section 25, Township 1 North, Range 3 East, Willamette Meridian, County of Multnomah, State of Oregon, said easement being a strip of land 16 feet wide and 8 feet on each side of a centerline, being more particularly described as follows:

BEGINNING AT a Portland General Electric Company power pole, No. 493, which bears N.11°55'00"E., 60.00 feet, and N.52°22'32"E., 1.80 feet from the northerly corner of that certain tract of land as described in Book 669, Page 824, Deed Records of said County; THENCE, along said centerline, N.2°35'36"W., 169.01 feet to a Portland General Electric Company power pole, No. 6798, and the terminus of said centerline.

TOGETHER WITH a strip of land 6 feet wide and 3 feet on each side of a centerline, described as beginning at said Portland General Electric Company power pole, No. 6798; THENCE, along said centerline, N.1°56'23"E., 64.13 feet to a Portland General Electric Company power pad, No. 6797, and the terminus of said centerline.

The above-described centerline is shown on Portland General Electric Company Drawing E-6970, attached hereto which by reference thereto is made a part hereof, and Exhibit A, also attached.

TO HAVE AND TO HOLD the above described easement and right of way unto the Grantee, its successors and assigns, together with the present right to top, limb or fell trees located on land owned by the Grantors, adjacent to the above described right of way, which danger trees will be determined by the Grantee.

Said easement and right of way shall be for the following purposes, namely: the perpetual right to enter upon and to erect, maintain, repair, rebuild, operate and patrol electric power lines, and appurtenant signal or communication lines, including the right to erect such poles, wires, cables, guys, supports and appurtenances as are necessary thereto, together with the present and future right to clear said right of way and keep the same clear of brush, timber, structures and fire hazards, including the right to restrict the growth of trees and brush on said right of way by the use of chemical sprays.

Grantors shall have the right to use the lands subject to the above described easement for all purposes not inconsistent with the uses and purposes herein set forth, except Grantors shall not build or erect any structure upon the right of way without the prior written consent of the Grantee.

If the Grantee, its successors and assigns, shall fail to use said right of way for the purposes above mentioned for a continuous period of five years after construction of said power lines, then and in that event this right of way and easement shall terminate and all rights and privileges granted hereunder shall revert to the Grantors, their heirs and assigns.

The Grantors hereby warrant that they are possessed of a marketable title to the property covered by this easement, and have the right to grant the same.

The Grantors, for themselves and their heirs and assigns, covenant to and with the Grantee, its successors and assigns, that the Grantee, its successors and assigns, shall peaceably enjoy the rights and privileges herein granted.

IN WITNESS WHEREOF, the Grantors have caused this easement to be executed this fourteenth day of August, 19 84

City of Troutdale

By: Sam K. Cox (SEAL)

Nancy B. Nixon (SEAL)

(SEAL)

STATE OF OREGON } ss.
County of Multnomah

On this 14th day of August, 19 84, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Sam K. Cox and Nancy B. Nixon

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal this, the day and year in this instrument first written.

Mary J. Eaton
Notary Public for Oregon

11/23/86
My commission expires

YOM/5sas
6254a.0784

Attachment

MAY 31 1985

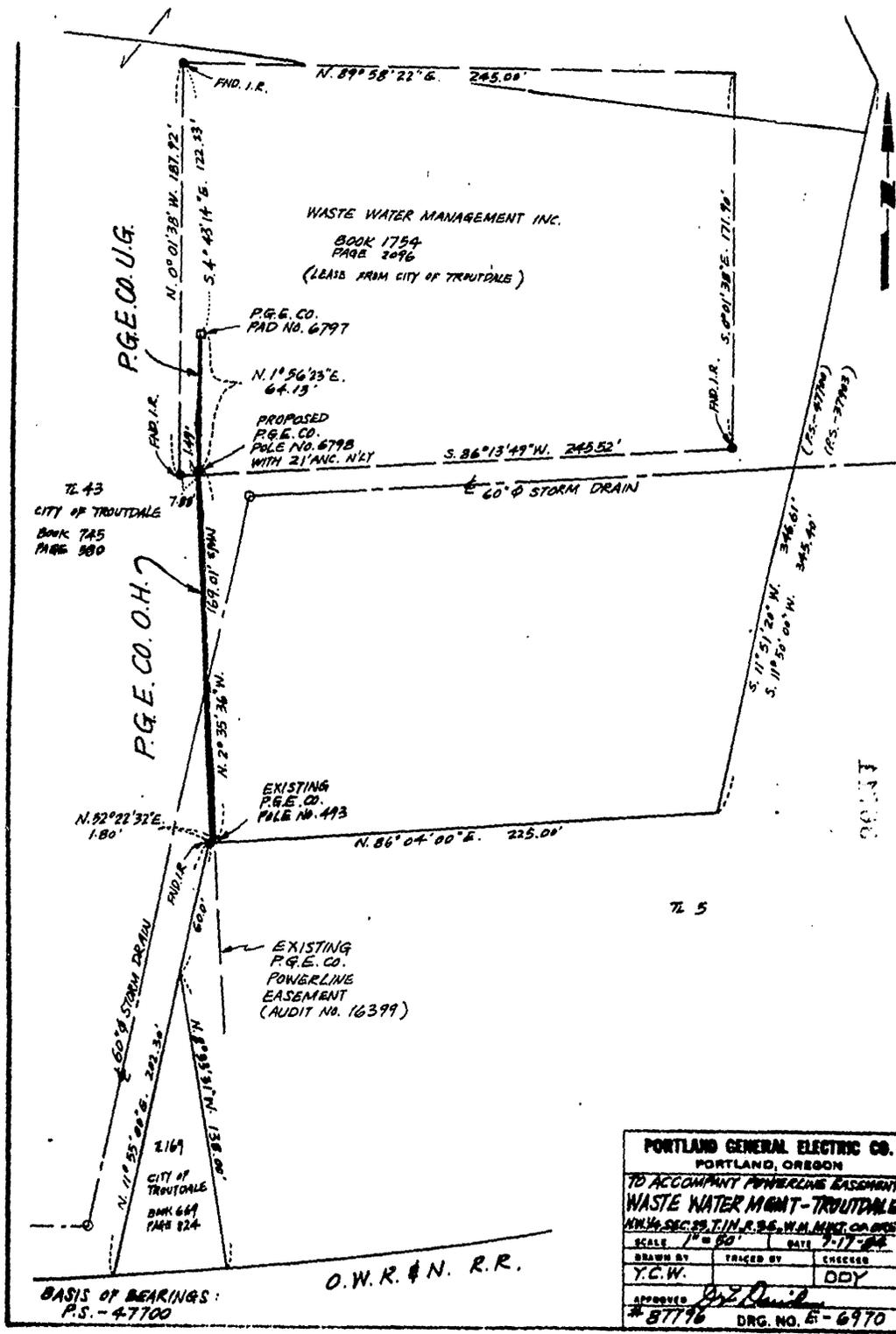
EXHIBIT A

BOOK 1627 PAGE 402

The City grants this easement subject to the terms and conditions of facility locations in public rights-of-way and the subsequent provisions of the effective franchise agreement.

The City also reserves the right to revoke this easement and/or require the undergrounding of the facility contained thereon should future plans for the associated and adjacent property so require. Should this easement be revoked the City must provide alternate locations for the needed electrical facilities and appurtenances.

MAY 31 1985



PORTLAND GENERAL ELECTRIC CO.	
PORTLAND, OREGON	
TO ACCOMPANY POWERLINE EASEMENT	
WASTE WATER MGMT - TROUTDALE	
N.W. 1/4 SEC. 25, T. 11 N., R. 26 W., M. 11 N., CO. 005	
SCALE 1" = 80'	DATE 7-17-88
DRAWN BY Y.C.W.	TRACED BY
APPROVED <i>[Signature]</i>	CHECKED O.D.Y.
# 8779B	DRG. NO. E-6970

MAY 31 1985

36711

STATE OF OREGON }
Multnomah County

I, a Deputy for the Recorder of Conveyance, in and for Multnomah County, Oregon, do hereby certify that the within instrument of writing was received for record and recorded in the record of said County

1985 MAY 31 AM 10: 21

RECORDERS ASSOCIATION
MULTNOMAH CO. OREGON



In Book 1827 On Page 400

witness my hand and seal of office aforesaid.
Recorder of Conveyance

M Burns
Deputy

1700

MAY 31 1985