

RESOLUTION NO. 2509

A RESOLUTION APPROVING A QUITCLAIM DEED FOR A SANITARY SEWER UTILITY 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 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 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 only the Sanitary Sewer easement as recorded in Multnomah County Records Book 2272 Page 462 of Document No. 90-008201, but the remaining easements as granted by Resolution No. 785-R, Page 461, and Pages 463, 464, and 465 shall remain in full force and effect.

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.

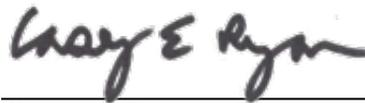
Section 7. Further, as applicable, to implement intent of this Resolution, comply with State statutes, administrative rules or local ordinances, and to act in the best interest of the City, and without further action by the City Council, the City Officials are hereby authorized, empowered, directed, 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 ABANDONMENT DESCRIPTION

11-13-19

Full release of a 10.00 wide strip of land, being 5.00 feet on each side of the below described centerline, said strip being an easement 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 easement area being more particularly described as follows:

Commencing at the southwest corner of that tract of land described in Book 745 at Page 580, Recorded August 10, 1970 in the Multnomah County Recorder's Office, said corner also being on the north line of the Oregon-Washington Railroad and Navigation Company right-of-way;

Thence South 88°44'43" East along the south line of said tract and along the north line of said right-of-way, a distance of 116.35 feet to a point of curvature;

Thence 217.19 feet along the arc of a 2740.00 foot radius circular curve to the left through a central angle of 04°32'30" (long chord is 217.14 feet and bears North 88°59'02" East) and along the north line of said right-of-way to the TRUE POINT OF BEGINNING OF SAID CENTERLINE;

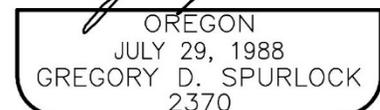
Thence North 06°4'38" West, a distance of 217.78 feet;

Thence North 02°54'58" West, a distance of 374.00 feet to the TERMINUS POINT OF SAID CENTERLINE.

The above description and elements therein are based upon Property Survey 47700 on file in the Multnomah County Surveyor's Office.



Gregory D. Spurlock



EXPIRES: 06/30/20

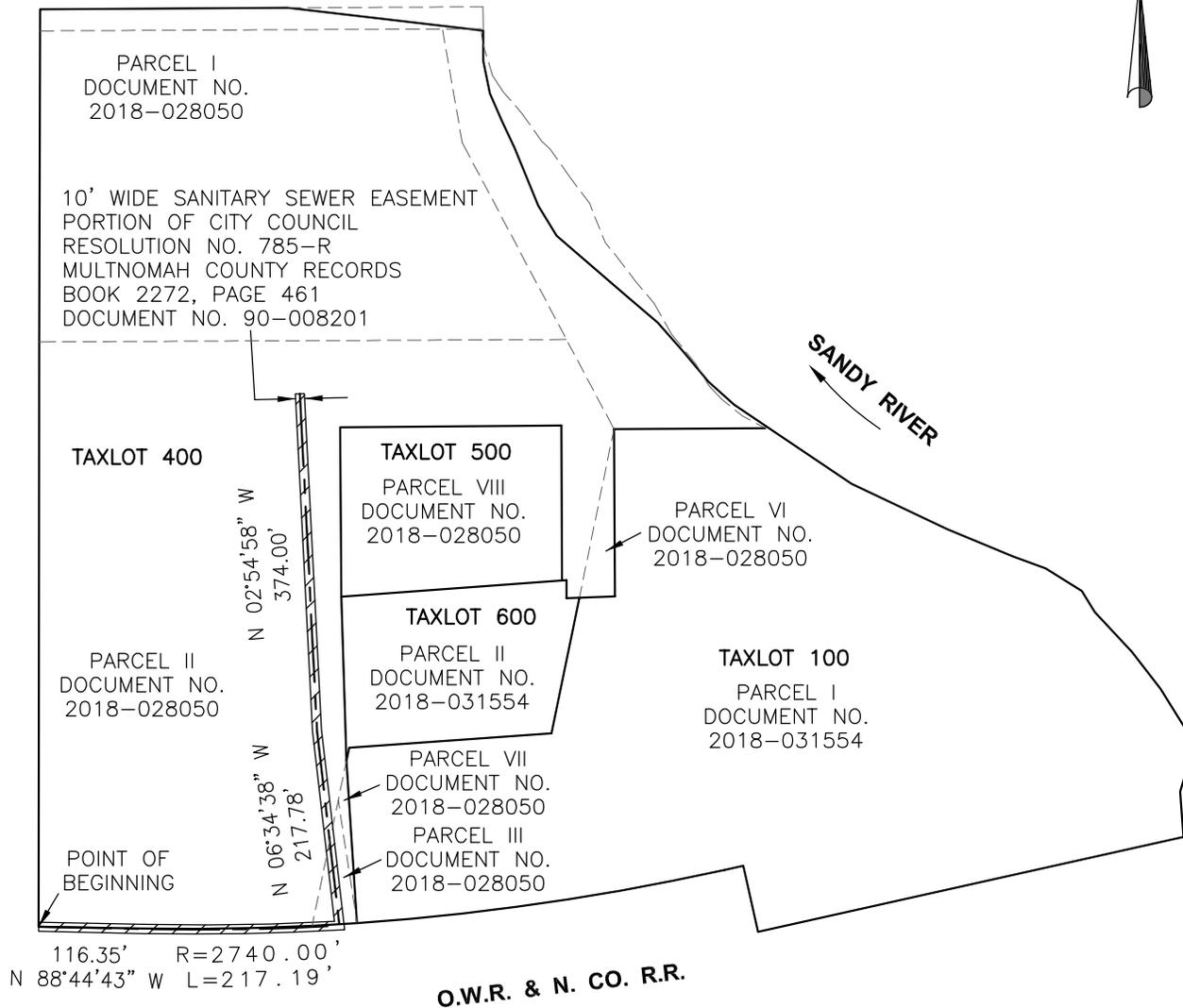
REFERENCE MAP

SANITARY SEWER EASEMENT

A 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

HORIZONTAL DATUM: OREGON COORDINATE REFERENCE SYSTEM, PORTLAND ZONE.
NORTH AMERICAN DATUM OF NAD83/2011(EPOCH 2010.0000); UNITS IN INTERNATIONAL FEET



LEGEND

-  = EASEMENT AREA TO BE QUITCLAIMED
-  = EASEMENT CENTERLINE
-  = HISTORIC PROPERTY LINE

SCALE: 1" = 200'



STATEWIDE LAND SURVEYING INC. <small>WWW.STATEWIDESURVEYING.COM SURVEY@STATEWIDESURVEYING.COM</small> 		
<i>DRAWN</i>	<i>DATE</i>	43 N.W. AVA AVENUE GRESHAM, OR 97030 (F) 503.665.7988 (O) 503.665.7777
J.B.	01/31/2020	
<i>CHECKED</i>	<i>DATE</i>	PROJECT NO. 2019-044-C2
T.S.	01/31/2020	
<i>SCALE</i>	<i>SHEET</i>	
1"=200'	1/1	

RESOLUTION NO. 785-R

A RESOLUTION DEDICATING CITY PROPERTY FOR UTILITY EASEMENT PURPOSES AND ACCEPTING SAID PROPERTIES AS UTILITY EASEMENTS.

WHEREAS, the City of Troutdale owns property under which is located public facilities including, but limited to, water, sewer and storm drainage; and

WHEREAS, the City desires to place these utilities within designated easements for the overall long term public good.

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

The City does both dedicate for easement purposes and accept said utility easements attached and hereto made part of this document.

ADOPTED BY THE COMMON COUNCIL OF THE CITY OF TROUTDALE THIS 14th DAY OF NOVEMBER 1989.

YEAS 4

NAYS 1 (SCHMUNK)

ABSTAINED 1 (FOWLER)

Sam K. Cox
Sam K. Cox, Mayor

Date Signed: November 14, 1989

ATTEST
Valerie J. Raglione
Valerie J. Raglione
City Recorder
PW79:40



Would you please conform the enclosed documents for me and return ~~it~~ ^{them} to:

Valerie J. Raglione
City Recorder
City of Troutdale
104 SE Kibling Street
Troutdale, OR 97060

ENGINEERING
PLANNING
SURVEYING
LAND DEVELOPMENT

KENT W. COX and ASSOCIATES, INC.
Consulting Engineers - Land Surveyors
204 N.E. KELLY AVENUE
GRESHAM, OREGON 97030
(503) 667-4464



Registration:
Oregon
Idaho
Washington

Affiliations:
American Society of Civil Engineers
Professional Land Surveyors of Oregon
American Congress of Surveying and Mapping

**SANITARY SEWER EASEMENT DESCRIPTION
CITY OF TROUTDALE TO THE CITY OF TROUTDALE**

PROJECT NO. 89 088
November 13, 1989

A 10.00 foot wide strip of land, being 5.00 feet on each side of the following described centerline and within the northwest quarter of Section 25, Township 1 North, Range 3 East of the Willamette Meridian, County of Multnomah, State of Oregon, said centerline being further described as follows:

Commencing at the southwest corner of that tract of land described in Book 745 at Page 580, Recorded August 10, 1970 in the Multnomah County Recorder's Office, said corner also being on the north line of the Oregon-Washington Railroad and Navigation Company right-of-way; thence South $88^{\circ}44'43''$ East along the south line of said tract and along the north line of said right-of-way, a distance of 116.35 feet to a point of curvature; thence 217.19 feet along the arc of a 2740.00 foot radius circular curve to the left through a central angle of $04^{\circ}32'38''$ (long chord is 217.14 feet and bears North $88^{\circ}59'02''$ East) and along the north line of said right-of-way to the TRUE POINT OF BEGINNING OF SAID CENTERLINE; thence North $06^{\circ}34'38''$ West, a distance of 217.78 feet; thence North $02^{\circ}54'58''$ West, a distance of 374.00 feet to the TERMINUS POINT OF SAID CENTERLINE.

The above description and elements therein are based upon Property Survey 47700 on file in the Multnomah County Surveyor's Office.