

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** *SYM*

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: _____

Signed: _____

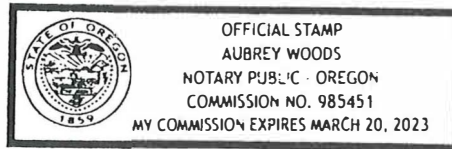
Print name: EVERETT T. MERRITT

Print name: _____

Its: OWNER

Its: _____

STATE OF OREGON)
) ss.
County of Multnomah)

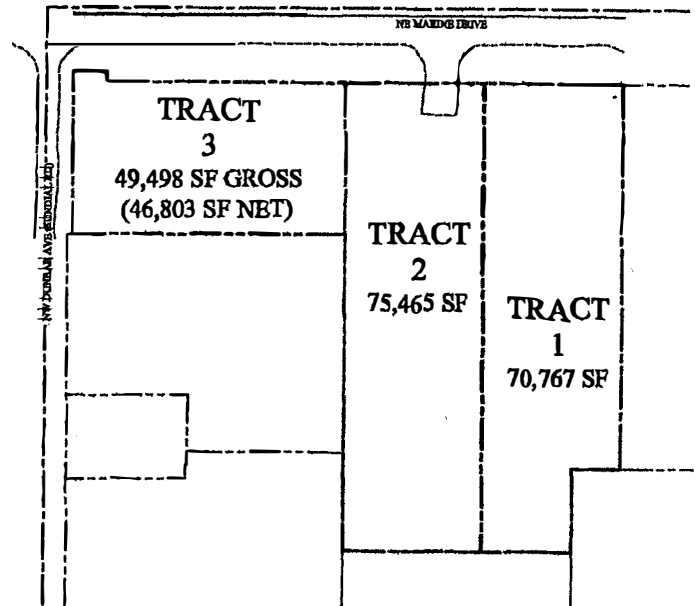


AN This instrument was acknowledged before me on this day of Sept 13, 2022 by Mr Everett T. Merritt and _____, as owner of 1032 Dunbar.

Aubrey Woods

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

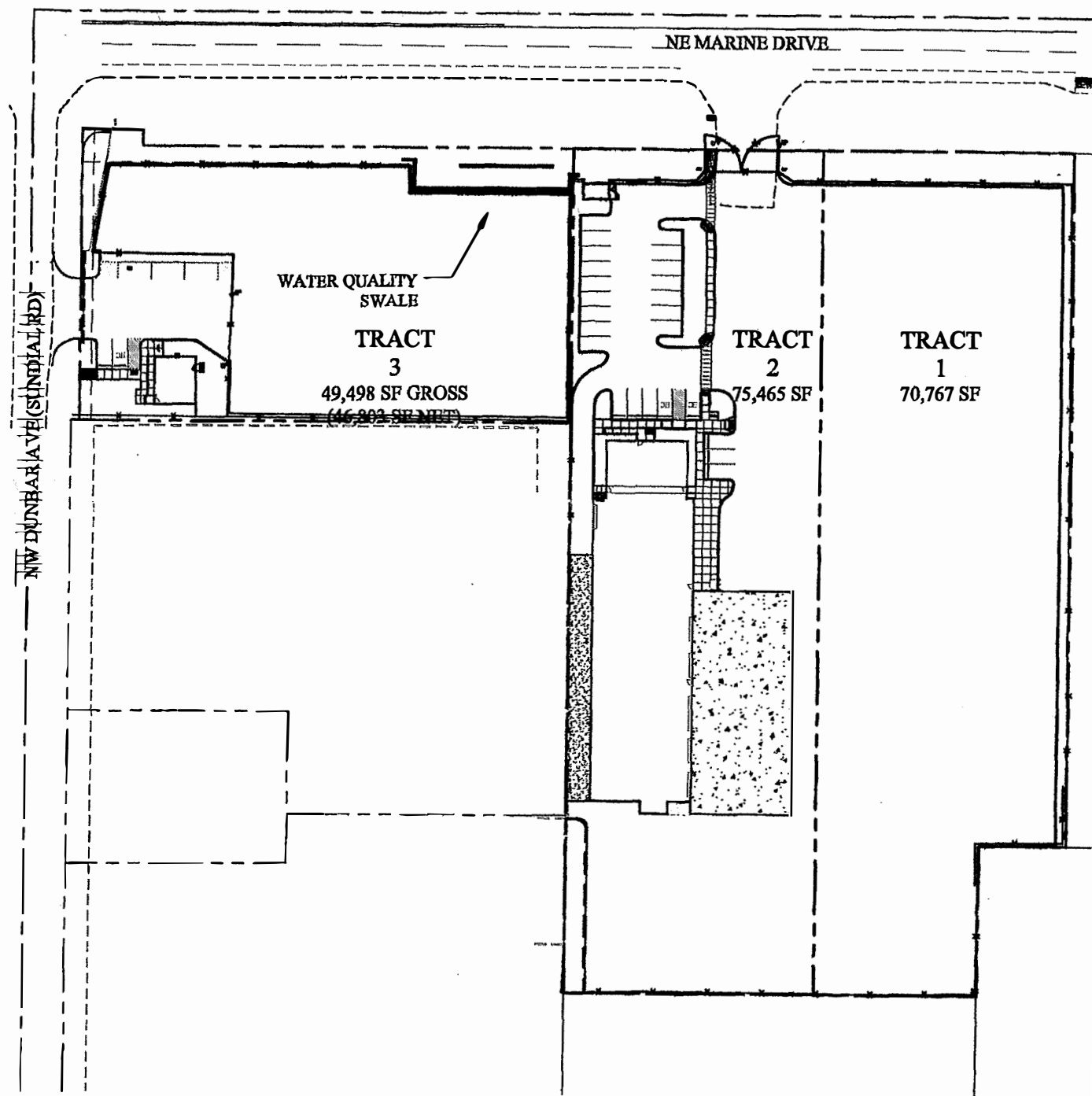
Accepted on behalf of the City of Troutdale this _____ day of _____, 20__.



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 $88^{\circ}41'15''$ West a distance of 150.00 feet; thence South $01^{\circ}18'45''$ West a distance of 503.10 feet; thence South $88^{\circ}41'15''$ East a distance of 97.50 feet; thence North $01^{\circ}18'45''$ East a distance of 89.49 feet; thence South $88^{\circ}41'15''$ East a distance of 52.50 feet; thence North $01^{\circ}18'45''$ 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 $88^{\circ}41'15''$ West a distance of 150.00 feet to the True Point of Beginning; thence South $01^{\circ}18'45''$ West a distance of 503.10 feet; thence North $88^{\circ}41'15''$ West a distance of 150.00 feet; thence North $01^{\circ}18'45''$ East a distance of 150.00 feet to a point on South Right-of-Way Line of NE Marine Drive; thence South $88^{\circ}41'15''$ 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 $88^{\circ}41'15''$ West a distance of 300.00 feet to the True Point of Beginning; thence North $88^{\circ}41'15''$ West a distance of 258.48 feet; thence North $01^{\circ}18'45''$ East a distance of 10.00 feet; thence North $88^{\circ}41'15''$ West a distance of 41.52 feet; thence South $01^{\circ}18'45''$ West a distance of 173.61 feet; thence South $88^{\circ}41'15''$ East a distance of 300.00 feet; thence North $01^{\circ}18'45''$ 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