

ORDINANCE NO. 688

AN ORDINANCE RELEASING ACCESS EASEMENT AND ACCEPTING NEW ACCESS EASEMENT FOR THE CITY OF SCAPPOOSE.

WHEREAS, the City holds the following described easement (the "Easement"):

An access easement being 15.00 feet in even width along the southerly line of lot 90, Seven Oaks Subdivision located in the NW 1/4 of section 18, T. 3 N., R. 1 W, W. M., City of Scappoose, Columbia County, Oregon.

WHEREAS, the City has determined that it is in the public interest to release the Easement and to accept a replacement easement (the "Replacement Easement") for access and utilities, 20 feet in width, over the following described property 10 feet on either side of the following described center line:

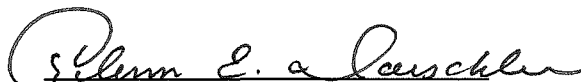
Beginning at a point which bears S 70° 08' 30" E, 10 feet from the NE corner of lot 3, Charlie's Acres Subdivision located in the NW 1/4 of section 18, T. 3 N., R. 1 W, W. M., City of Scappoose, Columbia County, Oregon; thence proceeding S 19° 51' 30" W, 75.00 feet parallel to the easterly line of said lot 3, thence N 70° 08' 30" W, 130.35 feet to a point on the easterly right of way line of SE 9th Street.

THE CITY OF SCAPPOOSE ORDAINS AS FOLLOWS:

1. The City of Scappoose hereby approves release of the Easement.
2. This release shall be conditioned upon Warren Wickum granting to the City of Scappoose the Replacement Easement for access as described above.
3. The City Manager is authorized to execute the Replacement Easement attached hereto as Exhibit A and the Quitclaim Deed attached hereto as Exhibit B, or as they may be amended to implement this Ordinance.

PASSED AND ADOPTED by the City Council this 19th day of July, 1999, and signed by the Mayor, and the City Recorder in authentication of its passage.

CITY OF SCAPPOOSE, OREGON


Glenn E. Dorschler, Mayor

First Reading: July 6, 1999

Second Reading: July 19, 1999

Attest: 
Donna J. Gedlich, City Recorder

AFTER RECORDING RETURN TO:
City Recorder
City of Scappoose
P.O. Box P
Scappoose, OR 97056

I hereby certify that the within instrument was received for record and recorded in the County of Columbia, State of Oregon.

1861 '99 AUG 26 19:12

ELIZABETH HUSER, County Clerk
By: G. Long Deputy
Receipt # 19124 # of Pages 2
FEES \$ 20.00

EXHIBIT "A"

This space provided for recorder's use.

ACCESS AND UTILITY EASEMENT

This Easement is made this 19th day of August, 1999, by and between Warren Wickum ("Grantor") and City of Scappoose ("Grantee").

Grantor is the owner of certain real property described in Exhibit A attached hereto and made a part hereof by this reference (the "Property").

Grantor for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant unto the Grantee, and unto its successors and assigns, a perpetual easement (the "Easement") for access and for utilities, over, under, and across a portion of the Property described as follows:

Beginning at a point which bears S 70° 08' 30" E, 10 feet from the NE corner of lot 3, Charlie's Acres Subdivision located in the NW ¼ of section 18, T. 3 N., R. 1 W, W. M., City of Scappoose, Columbia County, Oregon; thence proceeding S 19° 51' 30" W, 75.00 feet parallel to the easterly line of said lot 3, thence N 70° 08' 30" W, 130.35 feet to a point on the easterly right of way line of SE 9th Street.

Grantee accepts the Easement. This easement shall bind and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, assigns and successors in interest.

IN WITNESS WHEREOF, the parties have executed this Easement set their hands in duplicate on the day and year first written above.

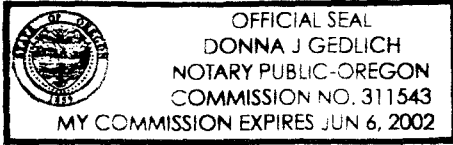
GRANTOR

GRANTEE

By: Warren Wickum
Its: Debra

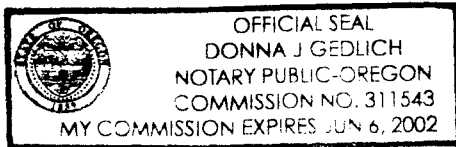
By: Allen E. Lauscher
Its: Mayer

This instrument was acknowledged before me on August 19th, 1999, by Warren Wickum (Grantor).



Donna J. Gedlich
NOTARY PUBLIC FOR OREGON
My Commission Expires 6.6.02

This instrument was acknowledged before me on August 19th, 1999, by the Mayor of the City of Scappoose, Glenn Doerschler (Grantee).



Donna J. Gedlich
NOTARY PUBLIC FOR OREGON
My Commission Expires: 6.6.02

AFTER RECORDING RETURN TO:
City Recorder
City of Scappoose
P.O. Box P
Scappoose, OR 97056

I hereby certify that the within instru-
ment was received for record and recorded
in the County of Columbia, State of Oregon.

11 8 6 2 '99 AUG 26 10:47

ELIZABETH HUSER, County Clerk

By: G. L. G. A. Deputy

Receipt # 19125 # of Pages 1

FEES \$ 35.00

EXHIBIT "B"

This space provided for recorder's use.

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS, that the City of Scappoose, a municipal corporation, duly organized and existing under the laws of the State of Oregon, hereinafter called Grantor, for good and valuable consideration, does hereby remise, release and quitclaim unto Fred Bernet and Mary Ellen Bernet, hereinafter called Grantee, and unto Grantee's successors and assigns, all of Grantor's right, title and interest in and to that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Columbia, State of Oregon, described as follows:


An access easement being 15.00 feet in even width along the southerly line of lot 90, Oaks Subdivision located in the NW ¼ of section 18, T. 3 N., R. 1 W., W.M., City of Scappoose, Columbia County, Oregon.

THE INTENT OF THIS INSTRUMENT is to release all interest the City of Scappoose has in and to that certain Easement recorded in Book 4, Pages 62-63, Columbia County Deed Records, Columbia County, City of Scappoose, Oregon, as described above.

TO HAVE AND TO HOLD, the same unto the said Grantee's successors and assigns forever.

IN WITNESS WHEREOF, the Grantor above named has caused this instrument to be executed by its City Manager this 23 day of AUGUST, 1999.

THE CITY OF SCAPPOOSE


City Manager