

RESOLUTION NO. 1613

A RESOLUTION ACCEPTING SPECIAL WARRANTY DEED – STATUTORY FORM FOR PROPERTY FOR STREET AND UTILITY PURPOSES ASSOCIATED WITH THE PACIFIC STREET PROJECT (Main Street) (PROJECT NO. 530-49130-5000-443); GRANTOR, TRUAX HARRIS ENERGY, L.L.C.

WHEREAS, the City of Wilsonville designed and constructed improvements to Pacific Street (Main Street) (Project No. 530-49130-5000-443); and

WHEREAS, Resolution No. 982 authorized the acquisition of property interests to carry out the project; and


WHEREAS, Resolution No. 1117 amended Resolution No. 982 and specifically revised Exhibit "A" legal description and map for said project; and

WHEREAS, having received good and valuable consideration from the City, Truax Harris Energy, L.L.C., Grantor, has executed a Special Warranty Deed – Statutory Form, conveying and specially warranting the above referenced and described real property to the City of Wilsonville, and has caused said Deed to be recorded in Clackamas County Deed Records No. 99-108721;

NOW, THEREFORE THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

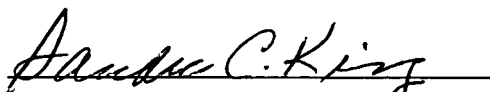
1. The City of Wilsonville hereby accepts the Special Warranty Deed – Statutory Form described above, a copy of which is marked Exhibit 1, attached hereto and incorporated herein.

ADOPTED by the Wilsonville City Council at a regular Council meeting thereof this 7th day of February, 2000, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, MAYOR

ATTEST:


SANDRA C. KING, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Holt	<u>Yes</u>

4r
AFFAIR RECORDING RETURN TO:
City of Wilsonville
30000 Town Center Loop East
Wilsonville, OR 97070

Until a change is requested all tax statements shall be sent to the following address:

30000 Town Center Loop East
Wilsonville, OR 97070

Escrow No: 4200-37993-KH
Order No: 206918

EXHIBIT 1

SPECIAL WARRANTY DEED - STATUTORY FORM
(INDIVIDUAL or CORPORATION)

TRUAX HARRIS ENERGY, L.L.C., a California limited liability company, successor in interest to Traux Harris Energy Company, a general partnership

Grantor, conveys and specially warrants to CITY OF WILSONVILLE, a municipal corporation of the state of Oregon

Grantee, the following described real property free of encumbrances created or suffered by the grantor except as specifically set forth herein:

(Continued)

This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

ENCUMBRANCES:

(Continued)

The true consideration for this conveyance is \$188,543.00

Dated November 12, 1999 ; if a corporate grantor, it has caused its name to be signed by order of its board of directors.

Truax Harris Energy, L.L.C.

Larry Duckett C.O.O.
By: LARRY DUCKETT

By: _____

By: _____

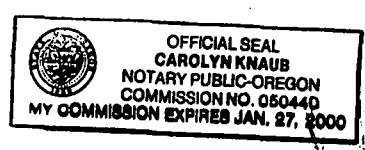
By: _____

99-108721

STATE OF OREGON, County of Clackamas) ss.
This instrument was acknowledged before me on _____, 19____,

by _____
This instrument was acknowledged before me on November 12, 1999,
by Larry Duckett as Chief Operating Officer
of Traux Harris Energy, LLC

Carolyn Knaub
Notary Public for Oregon
My commission expires: 1-27-2000



LEGAL DESCRIPTION

That portion of the Northeast quarter of the Northeast quarter of Section 23, Township 3 South, Range 1 West, Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, described as follows:

Beginning at the Northeast corner of the Northeast quarter of said Section 23; thence along the North line of said Northeast quarter North $88^{\circ}24'46''$ West, 567.88 feet to the Northeast corner of the Oregon State Highway Commission parcel as conveyed and recorded in Book 456 of Deeds at Page 139, records of said County; thence along the Easterly line of said State parcel South $01^{\circ}35'14''$ West, 30.00 feet; thence along the Southeasterly line of said State parcel South $60^{\circ}47'43''$ West, 164.64 feet to the Northeast corner of the Truax Harris Energy Company parcel as conveyed and recorded under Fee No. 92 60352, records of said County, said point being on the West line of the Teufel parcel as conveyed and recorded in Book 395 of Deeds at Page 88, records of said County; thence along said West line South $01^{\circ}24'40''$ West, 259.67 feet to the Northeast corner of the Larsen parcel as conveyed and recorded under Recorder's Fee No. 88 17264, records of said County and the true point of beginning; thence North $01^{\circ}24'40''$ East, 59.47 feet to the proposed North right-of-way of Main Street as shown on the preliminary plat of MAIN STREET VILLAGE; thence along said proposed North right-of-way line the following courses: North $88^{\circ}26'00''$ West, 96.98 feet to a point of curvature with a 34.00 foot radius curve; thence along said curve to the right through a central angle of $89^{\circ}57'43''$ an arc distance of 53.38 feet (the chord of which bears North $43^{\circ}27'09''$ West, 48.07 feet) to the Easterly right-of-way line of Parcel 2 of the Oregon State Highway Commission parcel as conveyed and recorded in Book 630 of Deeds at Page 733, records of said County; thence along said Easterly right-of-way line South $01^{\circ}31'43''$ West, 93.46 feet to the Northwest corner of said Larsen parcel; thence along the North line of said Larsen parcel South $88^{\circ}26'18''$ East, 131.08 feet to the true point of beginning.

Bearings expressed herein are grid bearings of the Oregon Coordinate System of 1983, North Zone, based on monuments of the Survey filed under PS-25005 in the records of the Clackamas County Surveyor.

Encumbrances, continued

1. Taxes for the fiscal year 1999-2000, two-thirds remaining unpaid.
2. Limited access provisions contained in Deed to the State of Oregon, by and through its State Highway Commission, which provides that no right or easement of right of access to, from or across the State Highway other than expressly therein provided for shall attach to the abutting property,
Recorded: October 30, 1963
Book: 630
Page: 733
3. An easement created by instrument, including terms and provisions thereof;
Dated: October 24, 1963
Recorded: October 30, 1963
Book: 630
Page: 733
In Favor Of: The State of Oregon by and through its State Highway Commission
For: Slope easement
Affects: Adjacent to Frontage Road
4. The premises herein described were included within the boundaries of the City of Wilsonville Urban Renewal as revealed by instrument.
Recorded: October 12, 1990
Recorder's Fee No.: 90-51076

Amended by instrument;
Recorded: July 16, 1991
Recorder's Fee No.: 91-34796
5. Unrecorded leases, if any.

City of

WILSONVILLE
in OREGON



30000 SW Town Center Loop
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

November 17, 1999

Karen Hays
Chicago Title
5285 SW Meadows Road, Suite 148
Lake Oswego, OR 97035

Ms. Hays:

I understand that certified copies of resolutions numbered 1416 and 1417 are necessary to conclude City of Wilsonville business and closing escrow transactions. Please find enclosed certified copies of these two resolutions. Should you need additional information, you may contact me at 570-1506.

Sincerely,

Sandra C. King, CMC
City Recorder

/sck

Enclosures

STATE OF OREGON 99-108721
CLACKAMAS COUNTY

Received and placed in the public
records of Clackamas County

RECEIPT# AND FEE: 103382 \$50.00

DATE AND TIME: 11/19/99 02:07 PM
JOHN KAUFFMAN, COUNTY CLERK

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"Serving The Community With Pride"