

RESOLUTION NO. 1436

A RESOLUTION ACCEPTING SPECIAL WARRANTY DEED OF PROPERTY FROM FRED MEYER STORES, INC. TO CITY OF WILSONVILLE AND DIRECTING CITY RECORDER TO RECORD THE SPECIAL WARRANTY DEED WITH CLACKAMAS COUNTY.

WHEREAS, the City Engineer has approved the legal description and the City Attorney has approved the form of the Special Warranty Deed granting property to the City from Fred Meyer Stores, Inc., a Delaware corporation, the original of the Special Warranty Deed having been delivered to the City for acceptance and recording,

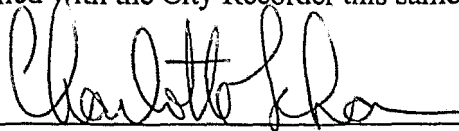
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The Special Warranty Deed from Fred Meyer Stores, Inc., a Delaware corporation, granting and conveying property as described therein to the City of Wilsonville for the consideration of \$3,200.00, said deed having been delivered to the City, is hereby accepted;

2. The City Recorder shall cause the original Special Warranty Deed, together with this Resolution of Acceptance to be recorded with the Clackamas County Deed Records and after the Deed's recording and return to ODOT shall secure the recorded original or a copy thereof from ODOT for the City records; and


3. The City Recorder shall cause a copy of the Special Warranty Deed to be placed with this Resolution for filing with the City prior to recording and after recording substituting a copy of the recorded deed with this Resolution.

ADOPTED by the City Council of the City of Wilsonville at a special meeting thereof on the 15th day of January, 1998, and filed with the City Recorder this same date.



CHARLOTTE LEHAN, MAYOR

Attest:



Sandra C. King, CMC, City Recorder

Summary of votes:

Mayor Lehan Yes

Councilor Helser Yes

Councilor Barton Yes

Councilor Luper Yes

Councilor Kirk Yes

SPECIAL WARRANTY DEED

FRED MEYER STORES, INC., a Delaware corporation, fka FRED MEYER, INC., a Delaware corporation,
Grantor, for the true and actual consideration of \$ 3,200.00 does convey and specially warrant unto the **CITY OF WILSONVILLE, a municipal corporation of the State of Oregon,** Grantee, fee title to the property described on Exhibit "A" attached hereto and by this reference made a part hereof.

Grantor covenants to and with Grantee, its successors and assigns, that grantor is the owner of said property which is free from encumbrances created or suffered by Grantor, except for easements, conditions, and restrictions of record, and will warrant the same from all lawful claims created or suffered by Grantor, except as stated herein.

Grantor agrees the consideration recited herein is just compensation for the property.

In construing this document, where the context so requires, the singular includes the plural and all grammatical changes shall be made so that this document shall apply equally to corporations and to individuals.

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.

11-24-97

AFTER RECORDING RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
417 TRANSPORTATION BLDG.
SALEM OR 97310

Account No.: 819190 Tax Lot 31W23AB00401

Property Address: _____

Until further notice, all tax statements shall be sent to:

CITY OF WILSONVILLE
8000 SW Town Center Loop E.
Wilsonville, OR 97070

00
11/24/97

It is understood and agreed that the delivery of this document is hereby tendered and that terms and obligations hereof shall not become binding upon the City of Wilsonville, unless and until accepted and approved by the recording of this document.

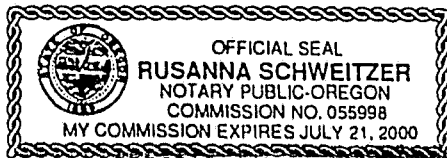
Dated this 1 day of December, 1997.

FRED MEYER STORES, INC., fka FRED MEYER, INC.

By Scott L. Wippel
President

By _____
Secretary

STATE OF Oregon, County of Multnomah
December 1, 1997. Personally appeared Scott L. Wippel and
Senior _____, who, being sworn, stated that they are the Senior President and ~~Secretary~~ of Fred Meyer Stores, Inc., fka Fred Meyer, Inc., and that this instrument was voluntarily signed in behalf of the corporation by authority of its Board of Directors. Before me:



Rusanna Schweitzer
Notary Public for Oregon
My Commission expires July 21, 2000

Exhibit A

file 6662-003 009

12126.Id4
3-7-97
NJB/ed

Mackay & Sposito Inc.



ENGINEERS SURVEYORS PLANNERS
1703 MAIN STREET VANCOUVER, WASHINGTON 98660
WASHINGTON (360) 695-3411 FAX (360) 695-0833 OREGON (503) 289-6726 EMAIL msinc@e-z.net

LEGAL DESCRIPTION
WILSONVILLE ROAD DEDICATION
FRED MEYER, INC.
WILSONVILLE, OREGON

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

Beginning at the Northwest corner of said Northeast Quarter; thence along the North line of said Northeast Quarter and the centerline of Wilsonville Road North 89° 50' 00" East, 864.60 feet; thence South 89° 50' 00" West, 62.81 feet to the Northerly extension of the East line of "Fred Meyer, Inc" Parcel as conveyed and recorded under Fee No. 93 63555, records of said county; thence along said Northerly extension and said East line South, 64.51 feet to the South line of the Oregon Department of Transportation Parcel as conveyed and recorded under Fee No. 96 064232, records of said county said point being on the South right of way line of Wilsonville Road and the True Point of Beginning; thence South, 15.49 feet to a point 80.00 feet from, when measured perpendicular to, the centerline of said Wilsonville Road; thence South 89° 50' 00" West, 29.00 feet to the West line of said "Fred Meyer, Inc." Parcel; thence along said West line North, 18.56 feet to the South line of said Oregon Department of Transportation Parcel and said South right of way line; thence along said South line and said South right of way line South 84° 07' 12" East, 29.15 feet to the True Point of Beginning.

Containing 494 sq ft more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Richard Sposito

3/11/97

OREGON
SEPTEMBER 23, 1977
RICHARD SPOSITO
1332

EXPIRES: 6-30-98

Exhibit A

EXHIBIT SKETCH TO ACCOMPANY LEGAL DESCRIPTION
 SHOWING A PORTION OF THE FRED MEYER, INC. PARCEL
 BETWEEN THE O.D.O.T. R/W LINE
 AND THE BACK OF SIDEWALK LINE.
 LYING IN THE NW 1/4 OF THE NE 1/4
 OF SECTION 23, T.3S., R.1W., W.M.
 CITY OF WILSONVILLE
 CLACKAMAS COUNTY, OREGON

