

RESOLUTION NO. 5802-24

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH MARGUERITE ROBB FOR PROPERTY ACCESS

WHEREAS, the City of Tualatin (City) owns real property located at 18615 and 18645 SW Boones Ferry Road, Washington County Assessor's Tax Map and Lot numbers 2S124BC01400 and 2S124BC01301;

WHEREAS, Marguerite A. Robb desires to use a portion of City Property as a drive access to real property commonly referred to as 18585, 18589 and 18593 SW Boones Ferry Road, Washington County Assessor's Tax Map and Lot 21S124B001300, which is currently inaccessible because of a bridge across Hedges Creek that was damaged and removed in 2017/18 due to high water on Hedges Creek;

WHEREAS, Due to natural resource issues and environmental regulation constraints it was not feasible for Marguerite A. Robb to rebuild the bridge, and at this time there is no other vehicle access to the residential unit north of Hedges Creek;

WHEREAS, The prior property owners James L. Clay and Andrea Leebron Clay allowed Marguerite A. Robb to access through what is now City property purchased in 2023 from James L. Clay and Andrea Leebron Clay;

WHEREAS, the Parties executed a Purchase and Sale Agreement ("PSA") on or about August 12, 2024, in which Marguerite A. Robb, Trustee of the Marguerite A. Robb Revocable Trust agreed to sell property to the City of Tualatin on the terms and conditions described in the PSA;

WHEREAS, Section 6.1.8 of the PSA entitles Robb Trust to occupy the residence located at 18593 SW Boones Ferry Road for a period of eighteen (18) months from the date of closing for the purpose of maintaining, caretaking and securing the property pursuant to a Maintenance and Operations Agreement, which was executed by the Parties on August 12, 2024;

WHEREAS, City agrees to allow Robb Trust property residents to use the area identified in the License Agreement in accordance with the terms of the agreement, and in furtherance of the Maintenance and Operations Agreement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TUALATIN, OREGON, that:

Section 1. Pursuant to the Purchase and Sale Agreement for the property, and Maintenance and Operations Agreement, the City Council hereby authorizes the City Manager to execute a License Agreement with Marguerite A. Robb to access property located at 18589 and 18593 SW Boones Ferry Road through City property located at 18615 and 18645 SW Boones Ferry Road, Tualatin OR 97062.

Section 2. The City Manager or the Manager's designee is hereby authorized to

execute any and all documents and take any further actions necessary to execute License Agreement.

Section 3. This resolution is effective upon adoption.

INTRODUCED and ADOPTED by the City Council this 12th day of August, 2024.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder