

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2016-016

Authorizing the Acquisition of Real Property for a Public Improvement Project on NE Arata Road, in the Cities of Wood Village and Fairview.

The Multnomah County Board of Commissioners Finds:

- a. It is necessary for Multnomah County to acquire the real property interests described in attached Exhibit A (the "Property") for purposes of constructing, operating, maintaining, repairing, replacing, and reconstructing sidewalk, drainage and road facilities on a portion of NE Arata Road in the Cities of Wood Village and Fairview, in East Multnomah County (the "Project").
- b. The Project has been planned and located in a manner that is most compatible with the greatest public good and the least private injury.

The Multnomah County Board of Commissioners Resolves:

1. It is necessary to acquire the Property described in Exhibit A for purposes of the Project.
2. Multnomah County Transportation Division (Division) is directed to begin negotiations to acquire the Property in accordance with all applicable laws, rules, and regulations governing such acquisition. Legal counsel is directed to assist the Division as necessary in such negotiations. Any agreement to purchase property described in Exhibit A is subject to Board approval.

ADOPTED this 10th day of March, 2016.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Deborah Kafoury

Deborah Kafoury, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By *Matthew O. Ryan*
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: Kim Peoples, Director, Department of Community Services.

Exhibit A

All necessary rights for constructing, operating, maintaining, repairing, replacing and reconstructing the Arata Road Project (as determined by the County Engineer) in and to each of the following property interests located in Multnomah County, Oregon:

Parcel 1:

A portion of a tract of land in the Southwest one quarter of Section 27, Township 1 North, Range 3 East of the Willamette Meridian, in the City of Fairview, County of Multnomah and State of Oregon, described as follows:

Beginning at the intersection of the East line of Fairview-Gresham Road and the South line of NE Halsey Street (County Road No. 1180); thence South, along the East line of said Fairview-Gresham Road, a distance of 210 feet, more or less, to the North line of Arata Road (County Road No. 730, 50 feet wide); thence East, along the North line of said Arata Road, a distance of 318 feet to the Southwest corner of that tract of land conveyed to Earl Cunningham, et ux, by deed recorded February 25, 1953 in Book 1586 page 43, Deed Records, and the true point of beginning of the tract to be described; thence North, along the West line of said Cunningham Tract and its extension, 265 feet, more or less, to the South line of NE Halsey Street; thence Southwesterly along the South line of said NE Halsey Street, 30.5 feet, more or less, to the Northeast corner of that tract of land conveyed to Albert W. Baker, et ux, by deed recorded January 16, 1952 in Book 1517 page 298, Deed Records; thence South, along the East line of said Baker Tract, a distance of 110 feet to the Southeast corner of said Baker Tract; thence Southwesterly, along the South line of said Baker Tract, a distance of 140 feet, more or less, to the Northeast corner of that tract of land conveyed to Granning & Treece Finance Co., by deed recorded January 18, 1962 in Book 2098 page 647, Deed Records; thence South, along the East line of said Granning & Treece Tract, to the North line of said Arata Road; thence East, along the North line of said Arata Road, 168 feet to the true point of beginning.

Parcel 2:

A portion of that tract of land described in Bargain and Sale Deed to EK LLC, recorded May 2, 2012 as Document No. 2012-053268, Multnomah County Deed Records situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., in the City of Wood Village, County of Multnomah and State of Oregon.

Parcel 3:

A portion of the tract described as follows:

A tract of land located in the Southeast one-quarter of Section 27, Township 1 North, Range 3 East, of the Willamette Meridian, in the City of Wood Village, County of Multnomah and state of Oregon. Said Tract of land being more particularly described as follows:

Commencing at a 2 inch iron pipe found at the initial point to the duly recorded plat of WATERSHIP DOWN; thence North 00°33'15" West, along the East line of said WATERSHIP DOWN, a distance of 203.19 feet to a point on the Southerly right-of-way line of N.E. Halsey Street; thence North 79°06'00" East, along said Southerly right-of-way line, a distance of 313.66 feet to a point on the Westerly line of that Tract of land described in that Deed recorded September 21, 1984 in Book 1776, Page 794, Multnomah County Deed Records; thence South 00°32'00" East, along said Westerly line, a distance of 5.08 feet to a point that is 45.00 feet Southerly of, when measured at right angles, the centerline of said N.E. Halsey Street and the true point of beginning of the tract of land herein described; thence South 00°32'00" East, along said Westerly line, a distance of 178.03 feet to a point on the Southerly line of that Tract of land described in that Deed recorded as Document No. 2007-015322, Multnomah County Deed Records; thence South 79°06'00" West, along said Southerly line, and parallel with said Southerly right-of-way line of said N.E. Halsey Street, a distance of 213.71 feet to a point; thence North 00°32'00" West, parallel with said West line of said Book 1776, Page 794 Tract, a distance of 92.83 feet to a point; thence North 79°06'00" East, parallel with said Southerly right-of-way line of said N.E. Halsey Street, a distance of 129.24 feet to a point; thence North 00°32'00" West, parallel with said West line of said Book 1776, Page 794 Tract, a distance of 85.19 feet to a point that is 45.00 feet Southerly of, when measured at right angles, said centerline of said N.E. Halsey Street; thence North 79°06'00" East, parallel with and 45.00 feet Southerly of, when measured at right angles, said centerline, a distance of 84.47 feet to the true point of beginning of the Tract of land herein described.

Parcel 4:

A portion of the tract described as follows:

A Tract of land being a portion of that tract of land described in that Deed recorded, October 25, 1976 in Book 1135, Page 137, Multnomah County Deed Records, located in the Southeast one-quarter of Section 27, Township 1 North, Range 3 East, of the

Willamette Meridian, in the City of Wood Village, Multnomah County, Oregon, said tract of land being more particularly described as follows:

Beginning at a 3/4 inch iron pipe found at the Northeast corner of the Plat of THE VILLAGE COMMONS, said point also being the Southeast corner of that Tract of land described in that Deed recorded as Document No, 2008-019435, Multnomah County Deed Records, said point also being the true point of beginning of the Tract of land herein described; thence North 00°32'00" West, along the East line of said Document No. 2008-019435 Tract, a distance of 20.05 feet to the Southwest corner of that Tract of land described in that Deed recorded as Document No. 2008-019434, Multnomah County Deed Records; thence North 79°06'00" East, along the Southerly line of said Document No. 2008-019434 Tract, a distance of 213.71 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "ZTEC LS1944" at the Southeast corner thereof; thence South 00°32'00" East, along the Southerly extension of the East line of said Document No. 2008-019435 Tract:, a distance of 19.57 feet to a 3/4 inch iron pipe; thence South 78°58'24" West a distance of 213.80 feet to the true point of beginning of the Tract of land herein described.