

BEFORE THE BOARD OF COUNTY COMMISSIONERS FOR  
MULTNOMAH COUNTY, OREGON

In the Matter of the Improvement of	)	RESOLUTION
S.E. Foster Road, No. 4995	)	No. 92-106
	)	

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The above-entitled matter is before the Board to consider the condemnation and immediate possession by Multnomah County of the real property hereinafter described for the purpose of improvement of S.E. Foster Road; and

It appearing that the project has been planned and located in a manner which is most compatible with the greatest public good and the least private injury; and

It appearing that the real property hereinafter described is necessary for the improvement of S.E. Foster Road; and

It appearing that it is necessary to acquire immediate possession of the property hereinafter described to allow construction to proceed and be completed on schedule within budgetary limitations, now, therefore,

BE IT RESOLVED by the Board of County Commissioners of Multnomah County that Multnomah County, by this Resolution, does hereby declare its intent to acquire said real property for the purposes hereinabove specified, and to acquire for road purposes over the real property situated in the County of Multnomah, State of Oregon, and described on Exhibit A attached hereto.

BE IT RESOLVED by the Board of County Commissioners as follows:

1. That the Board does hereby find and declare that it is necessary to acquire the property described herein for the improvement of S.E. Foster Road, and
2. That in the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is hereby authorized and directed to commence and prosecute to final determination such proceedings as may be necessary to acquire the property. Such action shall be in accordance with all applicable laws, rules, and regulations governing such acquisition; and
3. That upon final determination of any such proceeding, the deposit of funds and payment of judgment conveying the property to the County is hereby authorized; and
4. That the Board hereby finds that it is necessary to obtain immediate possession of such property to allow construction to proceed and be completed on schedule within budgetary limitations; and

5. Legal counsel is hereby authorized and directed to take such action in accordance with law to obtain immediate possession of the property; and
6. That there is hereby authorized the creation of a fund in the amount of the estimate of just compensation for each such property, which shall, upon obtaining possession of each such property, be deposited with the Clerk of the Court wherein the action was commenced for the use of the defendants in the action, and the Director of the Finance Division is authorized to draw a warrant on the Road Fund of the County in such sum for deposit.

DATED this 11th day of June, 1992.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

By Gladys McCoy  
Gladys McCoy, Chair

REVIEWED:

LAWRENCE KRESSEL, County Counsel  
for Multnomah County

By John L. DuBay  
Deputy County Counsel  
John L. DuBay

9856V

EXHIBIT A

GLEN W. ALLEN and  
KITTEE C. ALLEN

S.E. FOSTER ROAD  
West of S.E. 136th Avenue  
Item No. 91-93  
March 27, 1991

A parcel of land situated in the southeast one-quarter of Section 14, T1S, R2E, W.M., in Multnomah County, Oregon, which is described as follows:

Beginning at the intersection of the north right-of-way line of S.E. Foster Road, County Road No. 530, said point being 30.00 feet northerly, when measured at right angles, of the centerline of said S.E. Foster Road, and the west line of Lot 10, LAMARGENT PARK NO. 2, a duly recorded plat, recorded June 26, 1903, in Book 308, Page 24, Plat Records of Multnomah County, Oregon; thence N 00°15'05" E along the west line of said Lot 10, a distance of 10.01 feet; thence N 87°39'00" E parallel to and 10.00 feet north, when measured at right angles, of the north right-of-way line of said S.E. Foster Road, a distance of 18.00 feet; thence S 00°15'05" W, a distance of 10.01 feet to a point on the north right-of-way line of said S.E. Foster Road; thence S 87°39'00" W along said north right-of-way line, a distance of 18.00 feet to the point of beginning.

Containing 180 square feet, more or less.

In addition to the above described tract, an easement for the construction and maintenance of slopes and utilities is described as follows:

A strip of land 5.00 feet in width lying northerly of and adjacent to the above described tract.

Containing 90 square feet, more or less.

EXHIBIT A

MARVIN F. KING, SHELLY D. KING  
and JOSEPH B. KING

S.E. FOSTER ROAD  
West of S.E. 136th Avenue  
Item No. 91-97  
March 29, 1991

SLOPE and UTILITY EASEMENT

A portion of Lot 10, LAMARGENT PARK NO. 2, a duly recorded plat, recorded June 26, 1903, in Book 308, Page 24, Plat Records of Multnomah County, Oregon, situated in the southeast one-quarter of Section 14, T1S, R2E, W.M., Multnomah County, Oregon, described as follows:

Commencing at the intersection of the north right-of-way line of S.E. Foster Road, County Road No. 530, being 30.00 feet northerly, when measured at right angles, of the centerline of said S.E. Foster Road, and the east line of said Lot 10; thence S 87°39' W along said north right-of-way line, 148.00 feet to the southeast corner of that tract of land conveyed to Multnomah County, by deed recorded February 25, 1981, in Book 1505, Page 1284, Deed Records of Multnomah County, Oregon; thence N 0°15'05" E along the east line of said Multnomah County tract, 10.01 feet to the northeast corner thereof, and the true point of beginning; thence S 87°39' W along the north line of said Multnomah County tract, 59.10 feet; thence N 0°15'05" E, and parallel to the east line of said Lot 10, 5.00 feet; thence N 87°39' E along a line 5.00 feet northerly of and parallel to said Multnomah County tract, 59.10 feet; thence S 0°15'05" W, 5.00 feet to the point of beginning.

Containing 295 square feet, more or less.

2068W



EXHIBIT A

WILLIAM M. REA and BESSIE E. REA

S.E. FOSTER ROAD  
East of S.E. 128th Avenue  
Item No. 91-98  
March 29, 1991

A portion of Lot 10 LAMARGENT PARK NO. 2, a duly recorded plat, recorded June 26, 1903, in Book 308, Page 24, Plat Records of Multnomah County, Oregon, situated in the southeast one-quarter of Section 14, T1S, R2E, W.M., Multnomah County, Oregon, which is described as follows:

The northerly 10.00 feet of the southerly 40.00 feet of the westerly 74.00 feet of the easterly 148.00 feet of said Lot 10.

Containing 740 square feet, more or less.

In addition to the above described tract, an easement for the construction and maintenance of slopes and utilities is described as follows:

A strip of land 5.00 feet in width lying northerly of and adjacent to the above described tract.

Containing 370 square feet, more or less.

2069W

EXHIBIT A

OREGON PARKS FOUNDATION, INC.

S.E. FOSTER ROAD  
West of S.E. 136th Avenue  
Item No. 91-104  
April 2, 1991

A parcel of land situated in the southeast one-quarter of Section 14, T1S, R2E, W.M., Multnomah County, Oregon, which is described as follows:

Beginning at the intersection of the west right-of-way line of S.E. 136th Avenue, County Road No. 661, said line being 30.00 feet west, when measured at right angles, of the centerline of said S.E. 136th Avenue, and the north right-of-way line of S.E. Foster Road, County Road No. 530, said line being 30.00 feet north, when measured at right angles, of the centerline of said S.E. Foster Road; thence S 87°39'00" W along the north right-of-way line of said S.E. Foster Road, a distance of 200.00 feet to the southwest corner of that tract of land conveyed to Oregon Parks Foundation, Inc., by deed recorded December 30, 1988, in Book 2167, Page 1696, Deed Records of Multnomah County, Oregon; thence N 0°01'15" W along the west line of said Oregon Parks Foundation, Inc. tract, a distance of 10.01 feet; thence N 87°39'00" E along a line which is parallel to and 10.00 feet north, when measured at right angles, of the north right-of-way line of said S.E. Foster Road, a distance of 180.00 feet; thence N 43°48'53" E, a distance of 28.85 feet to a point on the west right-of-way line of said S.E. 136th Avenue; thence S 0°01'15" E along said west right-of-way line, a distance of 30.01 feet to the point of beginning.

Containing 2,200 square feet, more or less.

In addition to the above described tract, two easements for the construction and maintenance of slopes and utilities are described as follows:

PARCEL I:

A strip of land 5.00 feet in width lying northerly of and adjacent to the above described tract.

Containing 913 square feet, more or less.

PARCEL II:

A strip of land 5.00 feet in width lying westerly and adjacent to the west right-of-way line of said S.E. 136th Avenue, and extending from the north line of that tract of land conveyed to Oregon Parks Foundation, Inc., by deed recorded December 30, 1988, in Book 2167, Page 1696, Deed Records of Multnomah County, Oregon, and the northerly line of the above described tract.

Containing 413 square feet, more or less.

EXHIBIT A

JEAN B. HANSON

S.E. FOSTER ROAD  
East of S.E. 128th Avenue  
Item No. 91-266  
September 10, 1991

A portion of Lot 7, LAMARGENT PARK NO. 2, a duly recorded plat, recorded June 26, 1903, in Book 308, Page 24, Plat Records of Multnomah County, Oregon, situated in the southwest one-quarter of Section 14, T1S, R2E, W.M., Multnomah County, Oregon, which is described as follows:

The northerly 10.00 feet of the southerly 40.00 feet of the following described parcel of land:

Beginning at a point 200 feet south and 79.08 feet west of the northeast corner of said Lot 7; thence westerly parallel with the north line of said Lot 7, a distance of 105.07 feet; thence southerly parallel to the east line of said Lot 7, a distance of 416.07 feet to a point on the south line of said Lot 7; thence easterly along the south line of said Lot 7, a distance of 105.07 feet; thence north and parallel with the east line of said Lot 7, a distance of 413.17 feet to the point of beginning.

Containing 1,051 square feet, more or less.

In addition to the above described tract, an easement for the construction and maintenance of slopes and utilities is described as follows:

A strip of land 5.00 feet in width, lying northerly of and adjacent to the above described tract.

Containing 526 square feet, more or less.

Also, in addition to the above described parcels, an easement for the construction of a driveway is described as follows:

Beginning at a point on the east line of that tract of land conveyed to William A. Cramer and Romana M. Cramer, by deed recorded August 29, 1986, in Book 1933, Page 674, Multnomah County Deed Records, said point being 45.00 feet northerly, when measured at right angles, of the centerline of S.E. Foster Road, County Road No. 530; thence N 08°55'36" E, a distance of 15.30 feet; thence N 87°37' E, a distance of 10.00 feet; thence S 30°27'21" E, a distance of 17.00 feet; thence S 87°37' W along a line that is 45.00 feet northerly of and parallel to said S.E. Foster Road centerline, a distance of 21.00 feet to the point of beginning.

Containing 232 square feet, more or less.

EXHIBIT A

L. C. EAKIN and FREDA EAKIN

S.E. FOSTER ROAD  
West of S.E. 136th Avenue  
Item No. 92-21  
Revised February 5, 1992

A portion of Lot 12, LAMARGENT PARK NO. 2, a duly recorded plat, recorded June 26, 1903, in Book 308, Page 24, Plat Records of Multnomah County, Oregon, situated in the southeast one-quarter of Section 14, T1S, R2E, W.M., Multnomah County, Oregon, which is described as follows:

The northerly 10.00 feet of the southerly 40.00 feet of the westerly 100.00 feet of said Lot 12.

Containing 1,000 square feet, more or less.

In addition to the above described tract, an easement for the construction and maintenance of slopes and utilities is described as follows:

A strip of land 5.00 feet in width lying northerly of and adjacent to the above described tract.

Containing 500 square feet, more or less.

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