

BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR MULTNOMAH COUNTY, OREGON

Authorizing Condemnation and            )  
Immediate Possession of Real            )     RESOLUTION  
Property Necessary to Complete        )     98-17  
Reconstruction at SE Orient Drive     )  
and SE 257th Avenue                    )

The Board of County Commissioners finds:

- a. It is necessary to consider the condemnation and immediate possession by Multnomah County of the real property described in Exhibit 1 attached hereto for the purpose of reconstruction of SE Orient Drive at the intersection of SE 257th Avenue.
- 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.
- c. 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.

The Multnomah County Board of Commissioners resolves:

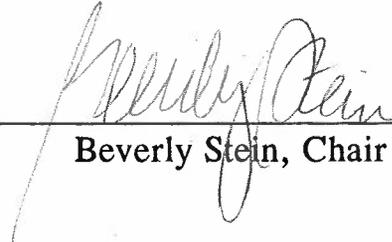
1. The Board does hereby find and declare that it is necessary to acquire the property described in Exhibit 1 for the reconstruction of SE Orient Drive at SE 257th Avenue.
2. In the event that no satisfactory agreement can be reached with the owners of the property as to the purchase price, legal counsel is hereby authorized and directed to commence and prosecute to final determination such condemnation 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.
3. Upon final determination of any such proceeding, the deposit of funds and payment of judgement conveying the property to the County is hereby authorized.

4. 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.
5. Legal counsel is hereby authorized and directed to take such action in accordance with law to obtain immediate possession of the property.
6. 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 12th day of February, 1998.

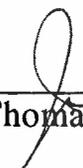


BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

  
\_\_\_\_\_  
Beverly Stein, Chair

REVIEWED:

THOMAS SPONSLER, COUNTY COUNSEL  
FOR MULTNOMAH COUNTY, OREGON

By   
\_\_\_\_\_  
John Thomas, Assistant County Counsel

WARREN G. ZANDELL

S.E. ORIENT DRIVE  
S.E. Corner at S.E 257<sup>th</sup> Avenue  
Item No. 97-38  
April 3, 1997

**Exhibit 1**

DESCRIPTION (FEE SIMPLE)

All of that certain tract of land conveyed to Warren G. Zandell, by a deed recorded on July 21, 1987, in Book 2026, Page 226, Multnomah County Deed Records, more particularly described as follows:

“A parcel of land lying in the Northeast quarter of Section 14, Township 1 South, Range 3 East, of the Willamette Meridian, in the City of Gresham, County of Multnomah and State of Oregon, more particularly described as follows: BEING all of that portion of a certain 0.34 acre tract described in deed recorded December 31, 1907, in Book 404, page 453, Deed Records, which lies southwesterly of the southwesterly side line of the right-of-way of the Mt. Hood Division of the Portland Railway Light and Power Company, which said southwesterly side line of said right-of-way is 42 feet distant from and parallel with the center line of Rollway Tract, EXCEPT a 60 foot right-of-way adjoining and paralleling Portland Railway Light and Power Company’s right-of-way deeded to Multnomah County, Oregon, or to the State of Oregon for road purposes as a part of Mt. Hood Loop Highway, said tract of land being bounded on the North and East by the Mt. Hood Loop Highway, on the South by the Palmquist Road and on the West by Kane Road.”

Containing 2,178 square feet, more or less.

As shown on attached EXHIBIT “A”, herein made a part of this description.

