

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

RESOLUTION NO. 2014-053

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

The Multnomah County Board of Commissioners Finds:

- a. It is necessary for Multnomah County to acquire the real property described in attached Exhibit A (the "Property") for purposes of constructing, operating, maintaining, repairing, replacing, and reconstructing sidewalk and road facilities on a portion of NE Arata Road in the Cities of Fairview and Wood Village 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 Land Use & Transportation Program (LUTP) 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 LUTP as necessary in such negotiations. Any agreement to purchase property described in Exhibit A is subject to Board approval.

ADOPTED this 8th day of May, 2014.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Marissa Madrigal, Acting Chair

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

By /s/ Matthew O. Ryan
Matthew O. Ryan, Assistant County Attorney

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

EXHIBIT "A"

Parcel 1: Temporary Construction Easement to expire on August 31, 2017

A portion of that tract of land described in Warranty Deed - Statutory Form to Joung Cheul Kim and Kipok Lee Kim, husband and wife, recorded as Document No. 2007-160289, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 223rd Ave., County Road No. 667 with NE Arata Road, County Road No. 730; thence S88°22'39"E, along the centerline of said NE Arata Road, a distance of 77.17 feet; thence N01°37'21"E, a distance of 25.00 feet to the North right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence N01°37'21"E, a distance of 12.00 feet; thence S88°22'39"E, parallel with said NE Arata Road centerline, a distance of 55.00 feet; thence S01°37'21"W, a distance of 12.00 feet to said North right-of-way line; thence N88°22'39"W, along said North-right-of-way line a distance of 55.00 feet to the point of beginning.

Containing 660 square feet more or less.

Parcel 2: Temporary Construction Easement to expire on August 31, 2017

A portion of that tract of land described in Bargain and Sale Deed to James Edward Birdsell and Ze Jian Huang, as husband and wife, recorded as Document No. 2007-055598, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 223rd Ave., County Road No. 667 with NE Arata Road, County Road No. 730; thence S88°22'39"E, along the centerline of said NE Arata Road, a distance of 341.37 feet; thence N01°37'21"E, a distance of 25.00 feet to the North right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence N01°37'21"E, a distance of 23.00 feet; thence S88°22'39"E, parallel with said NE Arata Road centerline, a distance of 26.00 feet; thence S01°37'21"W, a distance of 23.00 feet to said North right-of-way line; thence N88°22'39"W, along said North-right-of-way line a distance of 26.00 feet to the point of beginning.

Containing 598 square feet more or less.

Parcel 3: Road Purpose Easement

A portion of Lot 7, Wymore, Multnomah County Plat Records, being a portion of that tract of land described in Bargain and Sale Deed to Royal World Properties, LLC, an Oregon limited liability company, recorded as Document No. 2006-175713, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 223rd Ave., County Road No. 667 with NE Arata Road, County Road No. 730; thence S88°22'39"E, along the centerline of said NE Arata Road, a distance of 30.13 feet; thence S01°37'21"W, a distance of 25.00 feet to the South right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence S88°22'39"E, along said South right-of-way line, a distance of 30.16 feet; thence along the arc of a 30.00 foot radius curve to the left, through a central angle of 90°18'17" (the long chord of which bears S46°28'12"W, 42.54 feet) an arc distance of 47.28 feet to a point on the East right-of-way line of said NE 223rd Ave.; thence N01°19'04"E, along said East right of-way line, a distance of 30.16 feet to the point of beginning.

Containing 196 square feet more or less.

Parcel 4: Temporary Construction Easement to expire on August 31, 2017

A portion of Lot 7, Wymore, Multnomah County Plat Records, being a portion of that tract of land described in Bargain and Sale Deed to Royal World Properties, LLC, an Oregon limited liability company, recorded as Document No. 2006-175713, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 223rd Ave., County Road No. 667 with NE Arata Road, County Road No. 730; thence S88°22'39"E, along the centerline of said NE Arata Road, a distance of 30.13 feet; thence S01°37'21"W, a distance of 25.00 feet to the South right-of-way line of said NE Arata Road; thence S88°22'39"E, along said South right-of-way line, a distance of 30.16 feet to the point of beginning of the herein described tract of land; thence S88°22'39"E, continuing along said South right-of-way line, a distance of 198 feet, more or less, to the Northeast corner of the West one-half of said Lot 7, Wymore; thence southerly, along the East line of the West half of said Lot 7, a distance of 17.01 feet; thence N84°18'23"W, 72.42 feet; thence N01°15'05"E, a distance of 5.36 feet; thence N88°22'39"W, parallel with the centerline of said NE Arata Road, a distance of 141.04 feet to a point of non-

tangent curvature; thence along the arc of a 28.00 foot radius curve to the left, through a central angle of $57^{\circ}22'08''$ (the long chord of which bears $S30^{\circ}00'08''W$, 26.88 feet) an arc distance of 28.04 feet; thence $N88^{\circ}40'56''W$, a distance of 2.00 feet to a point on the East right-of-way line of said NE 223rd Ave.; thence along the arc of a 30.00 foot radius curve to the right, through a central angle of $90^{\circ}18'17''$ (the long chord of which bears $N46^{\circ}28'12''E$, 42.54 feet) an arc distance of 47.28 feet to the point of beginning.

Containing 1,999 square feet more or less.

Parcel 5: Temporary Construction Easement to expire on August 31, 2017

A portion of that tract of land described in Bargain and Sale Deed-Statutory Form to Poplar Mobile Manor, LLC, an Oregon limited liability company, recorded as Document No. 97-185526, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 223rd Ave., County Road No. 667 with NE Arata Road, County Road No. 730; thence $S88^{\circ}22'39''E$, along the centerline of said NE Arata Road, a distance of 258.37 feet; thence $S01^{\circ}37'21''W$, a distance of 25.00 feet to the South right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land, being the Northeast corner of the West One-half of Lot 7, Wymore, Multnomah County Plat Records; thence $S88^{\circ}22'39''E$, along said South right-of-way, a distance of 715 feet, more or less, to the Northeast corner of said "Poplar Mobile Manor" tract; thence southerly along the East line of said "Poplar Mobile Manor" tract, a distance of 0.5 feet, more or less, to the face of a concrete wall; thence westerly, along the face of said concrete wall, a distance of 596 feet, more or less, to a point which is adjacent to, when measured at right angles to, a point on said centerline of NE Arata Road which bears $S88^{\circ}22'39''E$, a distance of 376.87 feet from said centerline intersection with NE 223rd Ave.; thence $S01^{\circ}37'21''W$, a distance of 9.00 feet; thence $N88^{\circ}22'39''W$, a distance of 40.00 feet; thence $N01^{\circ}37'21''E$, a distance of 9.00 feet to the face of a concrete wall; thence westerly, along the face of said concrete wall, a distance of 78.5 feet, more or less, to the East line of the West One-half of said Lot 7; thence northerly along said West line, a distance of 0.5 feet, more or less, to the point of beginning.

Containing 718 square feet more or less.

Parcel 6: Temporary Construction Easement to expire on August 31, 2017

A portion of that tract of land described in Warranty Deed to Portland General Electric Company, an Oregon Corporation, recorded on February 20, 1973 in Book 910, Page 2001, Multnomah County Deed Records, situated in the Southwest One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Fairview, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 223rd Ave., County Road No. 667 with NE Arata Road, County Road No. 730; thence S88°22'39"E, along the centerline of said NE Arata Road, a distance of 638.56 feet; thence N01°37'21"E, a distance of 25.00 feet to the North right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence N01°37'21"E, a distance of 13.00 feet; thence S88°22'39"E, parallel with said NE Arata Road centerline, a distance of 25.00 feet; thence S01°37'21"W, a distance of 13.00 feet to said North right-of-way line; thence N88°22'39"W, along said North-right-of-way line a distance of 25.00 feet to the point of beginning.

Containing 325 square feet more or less.

Parcel 7: Temporary Construction Easement to expire on August 31, 2017

A portion of Lot 17, Block 1, Wood Village, Multnomah County Plat Records, situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 238th Drive, County Road No. 2529 with NE Arata Road, County Road No. 730; thence N88°23'17"W, along the centerline of said NE Arata Road, a distance of 345.07 feet; thence N01°36'43"E, a distance of 30.00 feet to the North right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence N01°36'43"E, a distance of 14.00 feet to a point 44.00 feet northerly of, when measured at right angles to, the centerline of said NE Arata Road; thence S88°23'17"E, parallel with the centerline of said NE Arata Road, a distance of 19.00 feet; thence S01°36'43"W, a distance of 14.00 feet to the North right-of-way line of said NE Arata Road; thence N88°23'17"W, along said North right-of-way line, a distance of 19.00 feet to the point of beginning.

Containing 266 square feet more or less.

Parcel 8: Temporary Construction Easement to expire on August 31, 2017

A portion of Lot 9, Block 2, Wood Village, Multnomah County Plat Records, situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 238th Drive, County Road No. 2529 with NE Arata Road, County Road No. 730; thence N88°23'17"W, along the centerline of said NE Arata Road, a distance of 159.07 feet; thence N01°36'43"E, a distance of 30.00 feet to the North right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence N01°36'43"E, a distance of 14.50 feet to a point 44.50 feet northerly of, when measured at right angles to, the centerline of said NE Arata Road; thence S88°23'17"E, parallel with the centerline of said NE Arata Road, a distance of 32.00 feet; thence S01°36'43"W, a distance of 14.50 feet to the North right-of-way line of said NE Arata Road; thence N88°23'17"W, along said North right-of-way line, a distance of 32.00 feet to the point of beginning.

Containing 464 square feet more or less.

Parcel 9: Temporary Construction Easement to expire on August 31, 2017

A portion of Lot 10, Block 2, Wood Village, Multnomah County Plat Records, situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 238th Drive, County Road No. 2529 with NE Arata Road, County Road No. 730; thence N88°23'17"W, along the centerline of said NE Arata Road, a distance of 118.38 feet; thence N01°36'43"E, a distance of 30.00 feet to the North right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence N01°36'43"E, a distance of 14.50 feet to a point 44.50 feet northerly of, when measured at right angles to, the centerline of said NE Arata Road; thence S88°23'17"E, parallel with the centerline of said NE Arata Road, a distance of 22.00 feet; thence S01°36'43"W, a distance of 14.50 feet to the North right-of-way line of said NE Arata Road; thence N88°23'17"W, along said North right-of-way line, a distance of 22.00 feet to the point of beginning.

Containing 319 square feet more or less.

Parcel 10: Temporary Construction Easement to expire on August 31, 2017

A portion of those tracts of land described in Quitclaim Deed to Rebecca M. Butler, recorded as Document No. 2001-185587 and Quitclaim Deed to said Rebecca M. Butler, recorded as Document No. 2001-185591, Multnomah County Deed Records, situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 238th Drive, County Road No. 2529 with NE Arata Road, County Road No. 730; thence N88°23'17"W, along the centerline of said NE Arata Road, a distance of 134.99 feet; thence S01°36'43"W, a distance of 30.00 feet to the South right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence S25°00'38"E, a distance of 11.19 feet to a point 40.00 feet southerly of, when measured at right angles to, the centerline of said NE Arata Road; thence S88°23'17"E, parallel with the centerline of said NE Arata Road, a distance of 24.00 feet; thence N23°21'05"E, a distance of 10.77 feet to the South right-of-way line of said NE Arata Road; thence N88°23'17"W, along said North right-of-way line, a distance of 33.00 feet to the point of beginning.

Containing 285 square feet more or less.

Parcel 11: Road Purpose Easement

A portion of that tract of land described in Quitclaim Deed to Rebecca M. Butler, recorded as Document No. 2001-185591, Multnomah County Deed Records, situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

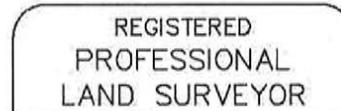
Commencing at the centerline intersection of NE 238th Drive, County Road No. 2529 with NE Arata Road, County Road No. 730; thence N88°23'17"W, along the centerline of said NE Arata Road, a distance of 61.46 feet; thence S01°36'43"W, a distance of 30.00 feet to the South right-of-way line of said NE Arata Road and the point of beginning of the herein described tract of land; thence S88°23'17"E, along said South right-of-way line, a distance of 20.58 feet to the West right-of-way line of said NE 238th Drive; thence S03°15'12"W, along said West right-of-way line, a distance of 20.58 feet; thence along the arc of a 20.00 foot radius curve to the left, through a central angle of 91°38'29" (the long chord of which bears N42°34'02"W, 28.69 feet) an arc distance of 31.99 feet to a point on the point of beginning. Containing 92 square feet more or less.

Parcel 12: Road Purpose Easement

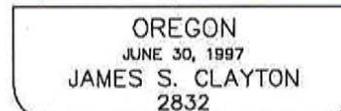
A portion of Lot 4, Block 7, Wood Village, Multnomah County Plat Records, situated in the Southeast One-quarter of Section 27, Township 1 North, Range 3 East, W.M., City of Wood Village, Multnomah County, Oregon, more particularly described as follows:

Commencing at the centerline intersection of NE 238th Drive, County Road No. 2529 with NE Arata Road, County Road No. 730; thence S03°15'12"W, along the centerline of said NE 238th Drive, a distance of 33.92 feet to the centerline of Maple Blvd.; thence N64°55'26"E, along said centerline of Maple Blvd., a distance of 44.48 feet; thence S25°04'34"E, a distance of 25.00 feet to the Southeast right-of-way line of said Maple Blvd. and the point of beginning of the herein described tract of land; thence S25°04'34"E, a distance of 8.00 feet to a point 33.00 feet southeasterly of, when measured at right angles to, the centerline of said Maple Blvd.; thence S64°55'26"W, parallel with the centerline of said Maple Blvd., a distance of 10.86 feet to a point of tangent curvature; thence along the arc of a 10.00 foot radius curve to the left, through a central angle of 61°40'11" (the long chord of which bears S34°05'20"W, 10.25 feet) an arc distance of 10.76 feet to the East right-of-way line of said NE 238th Drive; thence N03°15'12"E, along said East right-of-way line, a distance of 12.25 feet to its intersection with the Southeast right-of-way line of said Maple Blvd.; thence along the arc of a 40.00 foot radius curve to the right, through a central angle of 20°15'39" (the long chord of which bears N54°47'36"E, 14.07 feet) an arc distance of 14.14 feet to the point of beginning.

Containing 114 square feet more or less.



James S. Clayton 4-10-14

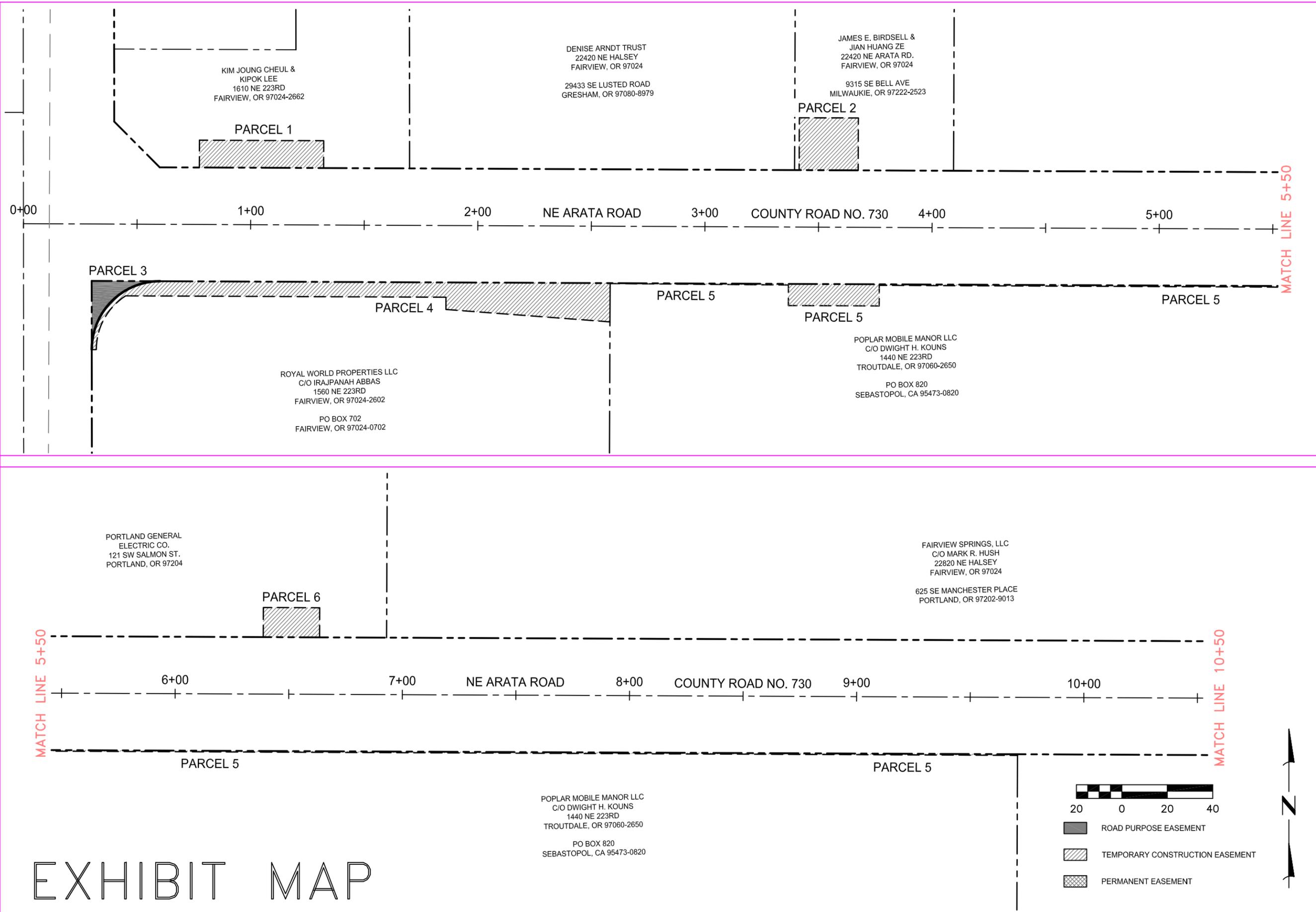


RENEWAL DATE: 1-1-16

These legal descriptions along with the basis of bearings thereof, were prepared based on that Survey recorded as Survey Number 64013, Multnomah County Survey Records.

As shown on the attached EXHIBIT MAP, herein made a part of this document. In the event of a conflict or discrepancy between the map as shown on the EXHIBIT MAP and the written legal description, the written legal description shall prevail.

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RIGHT-OF-WAY SHEET
ARATA ROAD, COUNTY ROAD NO 730
PROPOSED ROAD IMPROVEMENT
NE 223rd Ave. TO NE 238th Dr.
DATE: 01/07/2014 SCALE: AS SHOWN

MULTNOMAH COUNTY
DEPARTMENT OF COMMUNITY SERVICES
LAND USE AND TRANSPORTATION PROGRAM
1620 S.E. 190th AVE. PORTLAND, ORE. 97233-5999

BRIAN S. VINCENT P.E. COUNTY ENGINEER

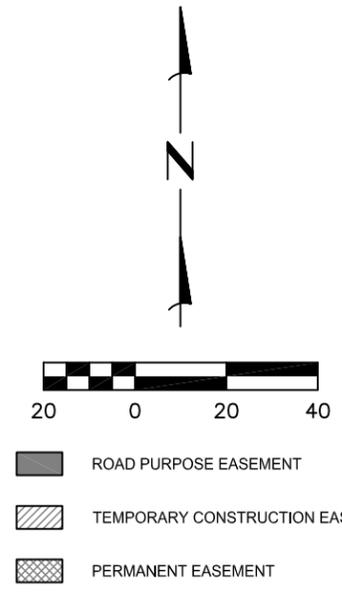
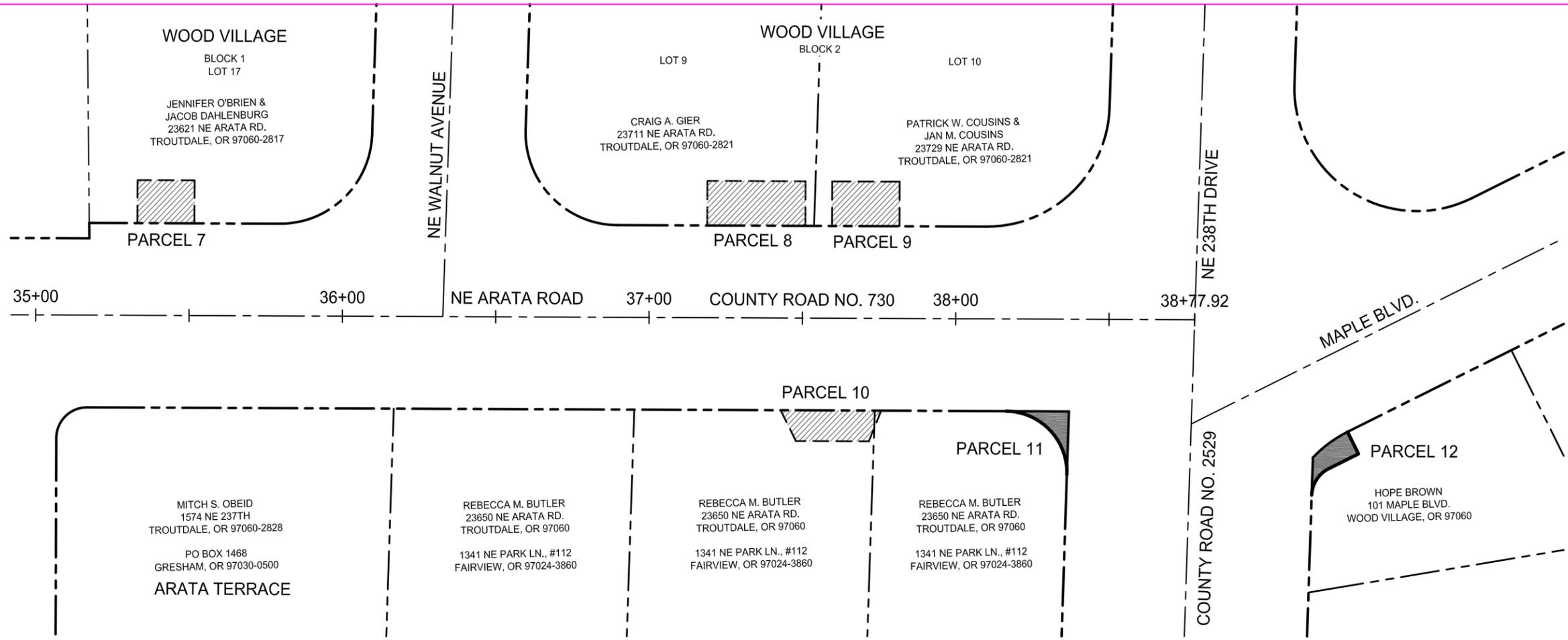
DESIGNED BY: JCC/PT
DRAFTED BY: JCC/PT
CHECKED BY: BSB/PT

REVISIONS

NO.	DATE	DESCRIPTION

C:\Land Projects 2009\SCRATCH\dwg\C0518 ARATA ROW-ESMITS FOR KEN (2007).dwg 4/10/2014 12:39:33 PM PDT

EXHIBIT MAP



- ROAD PURPOSE EASEMENT
- TEMPORARY CONSTRUCTION EASEMENT
- PERMANENT EASEMENT

RIGHT-OF-WAY SHEET
 ARATA ROAD, COUNTY ROAD NO 730
 PROPOSED ROAD IMPROVEMENT
 WOOD VILLAGE BLVD TO NE 238TH AVE
 DATE: 01/07/2014 SCALE AS SHOWN

MULTNOMAH COUNTY
 DEPARTMENT OF COMMUNITY SERVICES
 LAND USE AND TRANSPORTATION PROGRAM
 1620 S.E. 190th AVE. PORTLAND, ORE. 97233-5999

BRIAN S. VINCENT P.E. COUNTY ENGINEER

DESIGNED BY:	CHECKED BY:
JCC/72	BSS/1
DATE:	
DRAFTED BY:	
CHECKED BY:	
REVISIONS	
SHEET NO. 2 of 2	