

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

RESOLUTION NO. 2012-215

Approving the Acquisition of a Real Property Easement for a Public Improvement Project on NE Halsey Street.

The Multnomah County Board of Commissioners Finds:

- a. Multnomah County has reached a proposed settlement with Fred W. Smith and Catherine D. Smith, the owners of certain real property interests determined to be necessary for the purpose of constructing, maintaining, repairing, replacing, and reconstructing slopes, sidewalks, driveways, and road facilities on a portion of NE Halsey Street in the City of Wood Village (the "Project") as authorized by Resolution No. 2012-149.
- b. The real property proposed to be acquired for the price of \$1,500.00 is more particularly described in the "Easement for Road Purposes," a copy of which is attached as Exhibit 1 (the "Property").
- c. The Property is necessary for the Project, and it is in the best interest of the public and Multnomah County to approve the purchase of the Property.

The Multnomah County Board of Commissioners Resolves:

1. The Board approves the purchase of the Property, and the County Chair is authorized and directed to execute any documents required for completion of the purchase.
2. The County Engineer is authorized and directed to execute the acceptance statement on the original Easement for Road Purposes in conformance with the attached Exhibit 1.

ADOPTED this 20th day of December, 2012.



BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jeff Cogen, Chair

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

By 
Matthew O. Ryan, Assistant County Attorney

SUBMITTED BY: M. Cecilia Collier, Director, Department of Community Services.

Exhibit 1 to Resolution

Grantor:

Fred W. Smith and Catherine D. Smith
11460 Magdalena Ave.
Los Altos Hills, CA 94024

NE Halsey Street
Item No. 2012-22
October 12, 2012

After recording return to:

Patrick Hinds
Land Use & Transportation Division, Bldg. #425

**Until a change is requested,
tax statements shall be sent to:**

Multnomah County Transportation Division
1620 SE 190th Ave
Portland, Oregon 97233

Easement for Road Purposes

Fred W. Smith and Catherine D. Smith, Trustees of the Smith Family Revocable Trust dated November 5, 2002, "Grantors", grant to **MULTNOMAH COUNTY**, a Political Subdivision of the State of Oregon, "Grantee", an easement for road purposes as described in the attached Exhibit A. This grant is free of encumbrances except Conditions, Restrictions, Restrictive Covenants, and Easements of Record if any.

Grantor represents and warrants that he/she has the authority to do this grant. Grantor shall not grant or allow any subsequent uses or activities in the easement area described in Exhibit A which would interfere with the Grantee's use of said easements.

The true consideration paid for this grant stated in terms of dollars is \$ 1500⁰⁰, but consists of other value given, which is the whole consideration.

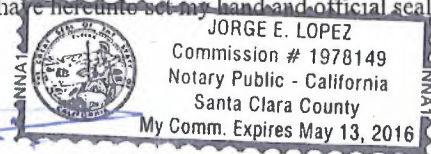
Dated this 22 day of Oct, 2012

Fred W. Smith, Trustee
Fred W. Smith

Catherine D. Smith, Trustee
Catherine D. Smith

STATE OF CALIFORNIA)
) ss
County of Santa Clara)

This instrument was acknowledged before me on Oct 22, 2012, 2012, by Fred W. Smith and Catherine D. Smith, authorized to execute the instrument. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.



Notary Public for Oregon Col. Fornia
My Commission Expires: May 13, 2016

REVIEWED:

By Jenny M. Morf, County Attorney
For Multnomah County, Oregon

By: _____
Assistant County Attorney

The described property is accepted for use in conjunction with NE Halsey St., County Road No. 1180, on behalf of the Board of County Commissioners of Multnomah County, Oregon, pursuant to Ordinance No. 619 and Executive Order No. 199.

Dated this 29TH day of OCTOBER, 2012

By B. S. Vincent
Brian S. Vincent, P.E., County Engineer
for Multnomah County, Oregon

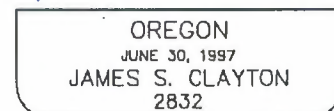
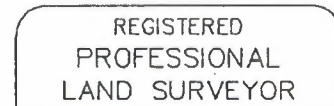
EXHIBIT "A"

EASEMENT FOR ROAD PURPOSES

A portion of that tract of land described in bargain and sale deed to Fred W. Smith and Catherine D. Smith, "Trustees of the Smith Family Revocable Trust dated November 5, 2002", recorded on November 12, 2010 as Document No. 2010-142785, Multnomah County Official 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:

That portion of said Smith tract that lies southerly of a line that is 45.00 feet northerly of, when measured at right angles to, and parallel with the centerline of NE Halsey Street, County Road No. 1180 and westerly of a line that is 45.00 feet easterly of, when measured at right angles to, and parallel with the West line of said Smith tract.

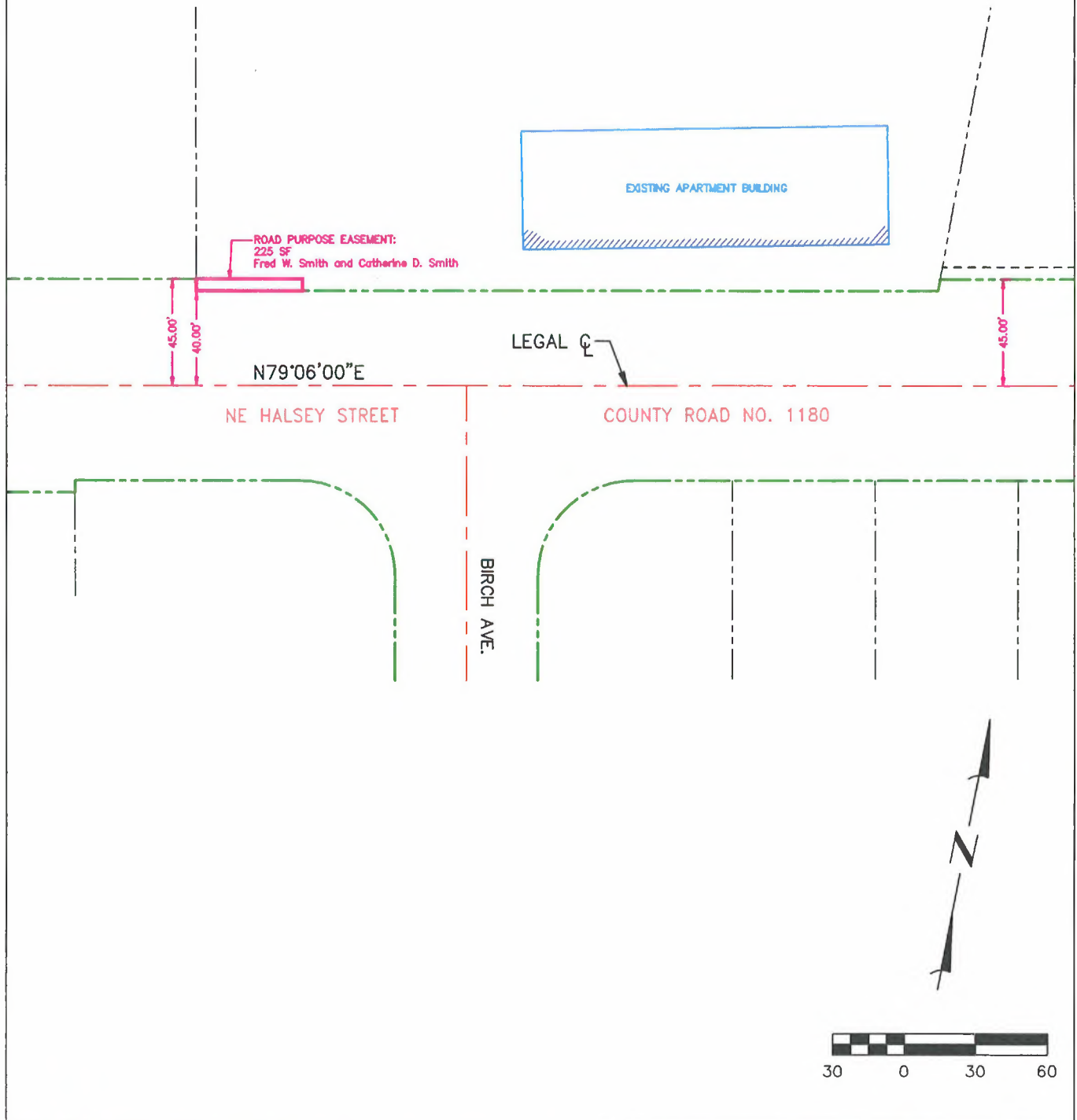
Containing 225 square feet more or less.



RENEWAL DATE: 1/1/2014

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.

EXHIBIT MAP



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:

AS

DRAFTED BY:

AS

CHECKED BY:

BSV

RIGHT-OF-WAY

**NE HALSEY STREET
COUNTY ROAD NO. 1180
SIDEWALK/DRIVEWAY IMPROVEMENT**

DATE: 09/20/2012

SCALE: AS SHOWN